

SC NAACP v. Alexander,
D.S.C. Case No. 3:21-cv-03302-MGL-TJH-RMG

EXHIBIT B

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SC NAACP v. McMASTER

TRANSCRIPT OF VIDEO-RECORDED PROCEEDINGS

SENATE OF SOUTH CAROLINA

January 20, 2022

(Transcription Time 1:43:00 - 6:32:20)

Transcribed By:
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CSR No. 5614, RPR, CRR

1 PRESIDENT ALEXANDER: The Senate will come to
2 order. The Senate will come to order.

3 SENATOR MASSEY: Mr. President?

4 PRESIDENT ALEXANDER: The Senator from Edgefield,
5 for what purpose do you rise?

6 SENATOR MASSEY: Mr. President, I move to
7 dispense with the balance of the motion period.

8 PRESIDENT ALEXANDER: All in favor, say aye.
9 Any opposed? The ayes have the motion.

10 The motion period is dispensed with.
11 The Senator from Edgefield.

12 SENATOR MASSEY: Mr. President, I understand that
13 the pages have some documentation related to redistricting
14 to distribute to the membership. I ask unanimous consent
15 that they be allowed to distribute that information.

16 PRESIDENT ALEXANDER: Without objection.

17 SENATOR MASSEY: Mr. President, as they are --

18 PRESIDENT ALEXANDER: The Senator from Edgefield.

19 SENATOR MASSEY: As they are distributing that
20 information, I ask unanimous consent that Mr. Terreni be
21 given access behind the rail.

22 PRESIDENT ALEXANDER: Without objection.

23 Unanimous consent, is agreed. Senator from Edgefield.

24 Now that brings us to page 4, bills returned from
25 the House, S-865. Amendment on the desk, the clerk will

1 read. Publish the first amendment.

2 THE CLERK: First amendment is Amendment No. 1 by
3 Senators Campsen and Rankin, amends a bill by striking all
4 enacting words and inserting them.

5 PRESIDENT ALEXANDER: Senator from Horry, what
6 purpose do you rise?

7 SENATOR RANKIN: Request to be recognized.

8 PRESIDENT ALEXANDER: So granted. Senator from
9 Horry is being recognized. The senator from Charleston,
10 Senator Campsen?

11 SENATOR CAMPSSEN: I'd ask unanimous consent for a
12 table and chair to be permitted on the floor for
13 Mr. Terreni.

14 PRESIDENT ALEXANDER: Without objection.

15 Staff to have access to the floor, without
16 objection. Senator from Horry.

17 SENATOR RANKIN: Happy Thursday, happy early
18 Thursday and happy hopeful quicker Thursday here after.

19 I rise to speak to the report that has just been
20 announced and make some general comments about this, as
21 well as an overview of our redistricting process to this
22 point, specifically regarding the congressional plan
23 itself and again, the amendment that you have before you.

24 And so I plan to make some over general comments
25 and then yield to a question.

1 PRESIDENT ALEXANDER: Senator from Edgefield, for
2 what purpose do you rise?

3 SENATOR MASSEY: I'm already retaining the floor.

4 I ask unanimous consent that the senator from
5 Richland, Senator Harpootlian's staff member be given
6 access on the other side of the rail, to the chamber on
7 the other side of the rail.

8 PRESIDENT ALEXANDER: Unanimous consent request.
9 Without objection, so ordered.

10 Senator from Horry.

11 SENATOR RANKIN: Thank you, Mr. President.

12 Again, we know what we're here to talk about. I
13 don't want to belabor this. Obviously the subcommittee
14 who presented to you the Senate plan is the same group
15 that is now presenting to you the congressional plan, made
16 up -- the subcommittee made up of myself, along with the
17 Senator from Charleston, Senator Campsen; Senator Sabb
18 from Williamsburg County; Senator Margie Bright Matthews
19 from Colleton and Senator Talley from Spartanburg; Senator
20 Harpootlian from Columbia and then until he left us with
21 very little notice, Senator Young, who has now joined the
22 Finance Committee, likewise, he served with us.

23 Again, census data overview, we know this, you've
24 heard it -- forgive me for having to put this in the
25 record, but we got that in October as the Senate was

1 wrapping up the round of the ten public hearings that we
2 held around the state.

3 The population total for 2020 was 5,118,425
4 people, representing a 10.66 percent increase from our
5 2010 population county.

6 Obviously, as the governor, many of you might
7 have heard it -- some of you may not have -- last night
8 that stating the obvious, we know that this state is
9 booming. Whether you want to talk about more incentives
10 to get more people here or cut off the incentives to keep
11 them from coming, that's not what we're talking about
12 today. We're talking about the tremendous growth that
13 we've experienced and the blessing that we have again with
14 the challenges.

15 The Greenville-Spartanburg southern suburbs of
16 Charlotte spreading into York and Senator Johnson's area,
17 Senator Fanning's area and the Lancaster area, and of
18 course across the coast along from Little River to the
19 Savannah River. Seven districts have to have a one
20 person, one man vote deviation. That number is 731,204,
21 up from 660 plus thousand 10 years ago.

22 So again, committee met in July, we had these
23 hearings that I've talked about. In September we adopted
24 the guidelines and a public submissions policy, focusing
25 on the efforts again to develop a redistricting plan for

1 both the Senate and the congressional plans and we
2 received congressional plans in November --

3 PRESIDENT ALEXANDER: Senator from Lexington, for
4 what purpose do you rise.

5 SENATOR SETZLER: Senator, could yield for a
6 quick friendly question?

7 PRESIDENT ALEXANDER: Senator yield?

8 Senator yields.

9 SENATOR SETZLER: Senator, do you have a map that
10 you can have passed out of what these are?

11 SENATOR RANKIN: We can public these. There's a
12 baseline, there's an amendment we have before us and then
13 there will be another amendment, and I think those are on
14 the website as well but again, we'll have that made
15 available to you.

16 Then after we passed the Senate and the House
17 plans in early December, we turned our attention to the
18 congressional redistricting. Wednesday of last week we
19 introduced 966, the skeleton bill for congressional
20 redistricting and then the House amended their bill,
21 adopted its congressional plan by adopting our bill which
22 is our role now H-65, and they returned that to us on the
23 13th.

24 That day, the 13th, we met to hear testimony on
25 the two proposed plans. The Senate amendments, again,

1 which are on our website. Y'all confirmed for me that
2 those are on the website. Rayden, did we put the plans?

3 Yeah, plans are on the website. So again, we can
4 print -- we're now publishing Senator from Lexington's,
5 Senator Setzler, again, you can see it here. We'll have
6 it up for y'all to review as you ponder this.

7 So we heard from 60 folks last week and received
8 over a thousand written comments on those amendments and
9 we reported, we voted those out last Thursday, both of
10 those out unanimously to the full committee, which as you
11 know, met yesterday and we took both of those up with a
12 vote of 14-8 in favor of Senate Amendment 1, which is what
13 we'll be talking about a little bit more later.

14 And then today my intent is to present to y'all,
15 along with Senators Massey from the Midlands, Senator
16 Talley from Upstate, Senator Campsen from the Lowcountry
17 and Tri-County area, this overview of this information.

18 One comment and the information that we have and
19 have produced to all is an overview of what we have a
20 comparison of these, and to Senator Margie Bright
21 Matthews's credit, a comparison of these plans produced
22 from this information was available to some, available to
23 all today. Yesterday to some, available to all today.

24 No attempt to hide the ball here.

25 And then one other matter.

1 When making sure that everything that is in that
2 document was on the website for God and country to see, we
3 discovered that one thing was not, and that is a core
4 constituency comparison of Senate 1 or Amendment 1 and
5 Amendment 2. That was emailed to our website guy at LSA
6 on January 11th he was supposed to publish this, emailed
7 from Will Roberts. That is now on the website and again,
8 that is a very specific but general information
9 Mr. Opperman and others will have that and again, so
10 fully, finally and factually, we all have all that we
11 have.

12 And so my apologies to the world for some sense,
13 perhaps, that we didn't and to the credit of those who
14 insisted we do, and I'll gladly receive that and take
15 umbrage and/or ownership.

16 And so we all have what we all have.

17 So now moving forward, let me just make an
18 overview of the entire plan and then I'm going to talk
19 about the PD and then I'm going to hand it over to Senator
20 Massey to talk about the Midlands.

21 Again, overall, Congressional Districts 2, 3, 4,
22 5 and 7 grew at a similar rate as the rest of the state,
23 largely unchanged from the benchmark plan. Benchmark
24 means that's what we did before, that's what our seven
25 congressman have run on since 2010-2012.

1 Growth, obviously, in District 1 substantially
2 outpaced the rest of the state. Upwards of about 86,000
3 more people in the 1st District, which is the Charleston
4 coastal area, and District 6, which is presently held by
5 Congressman Clyburn, lost population of about the same
6 amount, 86-ish thousand people.

7 So those two, District 6 and 1, underwent fairly
8 significant changes in population and -- but the
9 demographic and partisan makeup of each district is
10 substantially similar to the benchmark, meaning the 2012
11 plan.

12 In terms of geography, in terms of this plan we
13 have, there are ten split counties, seven split VTDs,
14 voter tabulation data, compared to 12 split and 65 in that
15 benchmark plan. That's an overview, again.

16 Now let me tack to the PD and the grand strand.

17 PRESIDENT ALEXANDER: Senator from Columbia, for
18 what purpose do you rise?

19 SENATOR MCLEOD: To see if the Senator would
20 yield for a friendly question.

21 PRESIDENT ALEXANDER: Senator yields.

22 SENATOR MCLEOD: Senator, you referred to the
23 guidelines. Do you have any opposition to explaining what
24 the guidelines were that our committee under your
25 leadership came up with prior to even starting the

1 redistricting process a little bit more?

2 Because you just generically said and someone
3 asked me a question and I just thought it would be a good
4 idea if you could talk about those guidelines.

5 SENATOR RANKIN: Very good. And so the
6 requirements of federal law generally population,
7 equality, voting rights, gerrymandering, avoiding that;
8 continuity or contiguity and then others.

9 And so for those of us who know these, were tired
10 of hearing about 'em. Those who don't will be tired of
11 hearing about it as soon as I finish but Senate districts,
12 again, have to be done differently. We have a deviation
13 of a number where percentagewise, whereas in the
14 Congressional Districts based on Article I, Section 2 of
15 the Constitution, you have effectively a deviation of one
16 person. You've got to have 713,000 or 731,204 or 205 or
17 203 people within each congressional district.

18 And so that is number 1.

19 Number 2, the Voting Rights Act and our plan or
20 the congressional plan has got to -- cannot have the
21 purpose of diluting minority voting strength and it must
22 otherwise comply with Section 2 of the Voting Rights Act
23 of 1965-1964. Again, there's case law on this, as
24 expressed by Thornburg v. Gingles.

25 You'll hear from Professor Harpootlian later,

1 perhaps, about a more thorough explanation of that case
2 and others.

3 But that case and its progeny, pursuant to 14th
4 and 15th Amendments of the U.S. Constitution, avoidance of
5 racial gerrymandering, again, there's a case, Shaw v.
6 Reno. That's the construct of the lens that we have to do
7 what we're doing that if there's a challenge, we'll be
8 kind of the metrics that this plan is compared to.

9 Again, I'll be corrected gladly by Professor and
10 Senator Harpootlian later, but this plan has got to comply
11 with the 14th Amendment, as interpreted by Shaw and again
12 its progeny.

13 Under those cases, while the consideration of
14 race is permissible, race must not be the predominant
15 factor, in that race neutral considerations are
16 subordinated to racial considerations unless that
17 subordination is narrowly tailored to give and serve a
18 compelling State interest.

19 Next is contiguity, again composed of contiguous
20 geography by continuity or contiguity by waters acceptable
21 to link territory within a district. Those on the full
22 committee yesterday heard the exchange between Senator
23 Harpootlian from the dry lands and the Senator from
24 Charleston, Senator Campsen from the wetlands, about
25 contiguity being advanced with bridges because you can't

1 get there, and so again. But the reasonable opportunity
2 exists in all parts of the district and linkage designed
3 to meet the other criteria.

4 Again, point-to-point contiguity is acceptable,
5 as long as the adjacent districts don't use the same
6 vertex as points of transversal.

7 No, I will not explain that.

8 Next consideration and finally or the third of
9 four, communities of interest. Again, we heard from lots
10 of people on our Senate plans what people want, who they
11 identify, what their common interests are.

12 Again, political, recreational, economic, social,
13 cultural, language, political.

14 They -- and that is a consideration that we
15 adopted as our subcommittee, constituent consistency.

16 This is preserving cores of existing districts.

17 Again, we talked about the benchmark.

18 And so again, one plan you will hear the argument
19 advances and preserves the existing seven districts and
20 keeping incumbents residences in the districts with their
21 core constituents.

22 Minimizing divisions of county, borders, cities
23 and towns, minimizing divisions of -- again, I mentioned
24 the VTD, voter tabulation districts data, and then
25 compactness and then finally again data as a consideration

1 with the State's population reported by the census in
2 2020.

3 So that, Senator Margie Bright Matthews, answers
4 those who were asking you that question and we can give
5 you a lot more of that, if you like.

6 So back to, again, the Horry PD stretch.

7 7th District, 7, represents the grand strand and
8 the vast majority of the PD regions. It includes
9 Chesterfield, Darlington, Dillon, Georgetown, Horry,
10 Marion and Marlboro Counties, as well as a majority of
11 Florence County, with the exception of approximately
12 10,000 people around Lake City.

13 Obviously we all know the growth that's going on
14 in my Senate district. I was second only to Senator
15 Johnson with the most people over our deviation out of 46,
16 so we are bursting at the seams. And we had in Horry a
17 growth rate that was 30.35 percent, where we added to the
18 county nearly 82,000. It's the forth largest, county
19 population-wise, with 351,029 residents but that's the
20 growing tree, I'll call it, and the other counties that I
21 mentioned, the other areas, did not experience that same
22 level of growth and in fact after all the growth that was
23 experienced in one area within District 7, 3200 people
24 were needed to bring it within deviation by one vote.

25 And so this plan that we have carves into an area

1 and picks those folks up. Again, we'll talk about that
2 later as well. It is largely unchanged from the benchmark
3 again, which we heard and me forgive me but paying an
4 acute local ear to what folks from the 7th were saying, I
5 don't know that there's any nicer way of saying it, but
6 what we heard overall was people like the way they've got
7 it. Don't fix what isn't broken, is my assessment of
8 that. Whether in the business interest, whether from
9 Chambers, whether from political office holders, whether
10 from groups and economic development, NISA is an example.

11 Again, we heard that they like the contiguity of
12 and the share of community of interest with folks across
13 that district. Senator Williams, we are in NISA together.

14 You have a leadership position there.

15 We like it, we heard it, and so again selfishly
16 I'm pointing to 7 as hoping to be retained as its current
17 form in that mark.

18 So again, changes from the benchmark and you're
19 going to hear about that -- within the plan that Senator
20 Campsen will talk about specifically in a few minutes,
21 that change effectively within that specific interest that
22 I'm talking about, constituency consistency and preserving
23 existing districts, seven of these are compared under each
24 plan.

25 Senator Harpootlian will talk about this later

1 but within Senate -- or Congressional District 7 it
2 retains 99.51 percent of its benchmark population and
3 again adding those 3200 that I mentioned from a very small
4 section from District 6 in Florence County.

5 With that now I want to turn it over to a
6 Midlands overview, Senator Massey, to speak to that.

7 Thereafter Senator Talley and then Senator
8 Campsen and then we will start talking from there.

9 Thank y'all so much.

10 PRESIDENT ALEXANDER: Senator from Edgefield,
11 what purpose do you rise, sir?

12 SENATOR MASSEY: Mr. Chairman, I ask to be
13 recognized to speak on the amendment.

14 PRESIDENT ALEXANDER: So recognized, the Senator
15 from Edgefield. Please give him your attention.

16 Thank you, Senator from Horry.

17 SENATOR MASSEY: Thank you, Mr. President.

18 I've been tasked with giving an overview of the
19 Midlands region in the amendment, so let me try to go
20 through that. There are four Congressional Districts that
21 represent parts of the Midlands; 2nd, 3rd, 5th and 6th
22 Districts.

23 District 2 has been and remains situated around
24 the I-20 corridor between Augusta and Columbia. It
25 includes all of Aiken, Barnwell and Lexington Counties,

1 along with about 25,000 people in western Orangeburg
2 County.

3 In Richland County, the 2nd Congressional
4 District includes Fort Jackson and the surrounding
5 residential areas as well as the northwestern portion of
6 the county in the Irma area.

7 Congressman Joe Wilson, who is the incumbent in
8 the 2nd District, has been a member of the House Armed
9 Services Committee since he was elected to Congress in
10 2001. Fort Jackson being in District 2 is important to
11 that representation, the interests of his service members
12 who are stationed there and I will add that if --
13 depending on what happens with the elections later this
14 year, it's certainly possible, if not likely, that
15 Congressman Wilson could be the chairman of the House
16 Armed Services Committee, so having Fort Jackson in his
17 district is extremely important.

18 District 3 runs along the Savannah River from the
19 northwestern corner of the state, down to the heart of the
20 CSRA, the Central Savannah River Area.

21 District 3 includes Oconee, Pickens, Anderson,
22 Abbeville, Greenwood, Laurens, Newberry, Saluda, Edgefield
23 and McCormick Counties in their entirety, which have all
24 been together for generations, and approximately 65,000
25 people in rural southern Greenville County.

1 District 3 in this plan retains 98.02 percent of
2 its benchmark population and to balance the population,
3 Newberry County was made whole in District 3 and
4 approximately 7,000 people were added from District 4 in
5 the Simpsonville area of Greenville County.

6 District 5 covers the northern swath of the
7 central Midlands from northern Sumter County up to the
8 North Carolina border. It includes all of Cherokee,
9 Chester, Fairfield, Lancaster, Kershaw, Lee, Union and
10 York Counties.

11 District 5 also includes a portion of Spartanburg
12 County at the northwestern end of the district and the
13 majority of Sumter County at the opposite end.

14 District 5 in this amendment retains just over
15 94 percent of its benchmark population and adds
16 approximately 36,000 people from District 4 in eastern
17 Spartanburg County and a small number of about 350 people
18 from District 6 in Sumter County.

19 District 6 covers the southern portion of the
20 Midlands from Columbia down through the I-95 corridor
21 heading towards the coast. Districtwide, the 6 includes
22 all of Allendale, Bamberg, Calhoun, Clarendon, Hampton and
23 Williamsburg Counties and portions of Richland, Sumter,
24 Orangeburg, Jasper, Colleton, Dorchester and Charleston
25 Counties.

1 In the Midlands, District 6 includes the majority
2 of Orangeburg County, including the city of Orangeburg, a
3 portion of the city of Sumter, rural areas in southeast
4 Sumter County, the Lake City area of Florence County and
5 nearly half of Richland County, including portions of the
6 city of Columbia and rural areas to the southeast.

7 The amendment follows the boundary between Senate
8 Districts 21 and 22 as the dividing line between
9 Congressional Districts 2 and 6 in the eastern Columbia
10 area.

11 District 6 retains more than 87 percent of its
12 existing benchmark population and in the Midlands, only
13 minor changes are made from the benchmark plan in
14 Richland, Orangeburg, Sumter and Florence Counties.

15 So Mr. President, with that overview of the
16 Midlands, I think I will turn it over to the Senator from
17 Spartanburg to do more of the state in District 4.

18 PRESIDENT ALEXANDER: Senator from Spartanburg,
19 Senator Talley, for what purpose do you rise?

20 SENATOR TALLEY: I'd like to be recognized.

21 PRESIDENT ALEXANDER: So recognized, Senator from
22 Spartanburg.

23 SENATOR TALLEY: Thank you, Mr. President and
24 members of the Senate. I want to talk a little bit about
25 what's before you in regards to the Upstate.

1 The Upstate area is represented by the 3rd, 4th
2 and 5th Congressional Districts. As the Senator from
3 Edgefield just mentioned, Districts 3 and 5 also include
4 portions of regions outside the Upstate, while District 4
5 is located in the heart of the Upstate in the Greenville
6 and Spartanburg area.

7 I want to talk first about District 3, which runs
8 from Pickens and Oconee Counties to the south through a
9 portion of southern Greenville County and includes all of
10 Abbeville, Anderson, Edgefield, Greenwood, Laurens,
11 McCormick, Newberry and Saluda Counties.

12 The changes in the amendments before you from the
13 benchmark in regards to District 3, there was a shortage
14 of approximately 24,000 people that needed to be added to
15 District 3 to balance out its population.

16 This was done by repairing split precincts
17 between Districts 3 and 4 in southern Greenville County
18 and bringing Newberry County, which was previously split
19 between Districts 3 and 5, entirely into the 3rd district.

20 District 4 includes the majority of the
21 population in Greenville and Spartanburg Counties and is
22 virtually unchanged from the benchmark plan. It was
23 overpopulated by approximately 29,000 people.

24 This imbalance was corrected by bringing
25 District 3 a little further into the rural and suburban

1 areas of southern Greenville, as I just mentioned, and
2 District 5 came more into the rural and suburban areas of
3 eastern or northeastern Spartanburg County.

4 District 5 connects the eastern side of the
5 Upstate with the central Midlands running from eastern
6 Spartanburg County along the North Carolina through
7 Cherokee, York, Lancaster, Chester, Union, Fairfield,
8 Kershaw and Lee Counties, as well as the western half of
9 Sumter County.

10 Changing -- or the amendment before you retains
11 nearly 95 percent of District V's benchmark population,
12 adding approximately 36,000 people from District 4 in the
13 rural northeastern part of Spartanburg County, as I
14 mentioned earlier, and a number of people in Sumter
15 County. Mr. President, that concludes my overview.

16 PRESIDENT ALEXANDER: Senator from Charleston --
17 so you've completed and given up the floor, okay.

18 SENATOR CAMPSSEN: I'll do this from my desk,
19 Mr. President.

20 PRESIDENT ALEXANDER: Senator from Charleston,
21 Senator Campsen is recognized.

22 SENATOR CAMPSSEN: Thank you, Mr. President. I'm
23 going to give a Lowcountry and Tri-County area overview.

24 As with the grand strand, the southern half of
25 the coast experienced substantial growth over the last ten

1 years; however, this growth occurred in pockets and was
2 not homogeneous across the two Congressional Districts in
3 the area.

4 Under the benchmark plan, District 1 was
5 overpopulated by nearly 88,000 people, while District 6
6 was underpopulated by nearly 85,000 people.

7 District 1 predominantly represents residential
8 coastal communities in the Lowcountry and Tri-County area.

9 In the Lowcountry, District 1 includes all of
10 Beaufort County, approximately 4,500 people in the Sun
11 City community in Jasper County, and approximately 2300
12 people in the Edisto and Green Pond communities of
13 Colleton County.

14 In the Tri-County area, District 1 includes all
15 of Berkeley County, the majority of the population in
16 Dorchester County around the Summerville area and nearly
17 180,000 people in Mount Pleasant and the Sea Islands in
18 Charleston County.

19 Changes from the benchmark. District 1 retains
20 82 percent of its benchmark population and adds 53,000
21 people from the 6th District, including 13,000 people in
22 Beaufort County and 29,000 people in Berkeley County.

23 In Charleston County, the amendment follows
24 natural geographic boundaries such as the Stono River and
25 Wadmalaw Sound, adding approximately 16,000 people on

1 Wadmalaw Island and Johns Island to the 1st District from
2 the 6th.

3 The 6th District represents the portions of
4 Jasper, Colleton, Dorchester, and Charleston Counties that
5 are not included in District 1 along the coast, as well as
6 Allendale, Bamberg, Calhoun, Clarendon, Hampton and
7 Williamsburg Counties in their entirety.

8 District 6 also includes portions of Orangeburg,
9 Richland, Sumter and Florence Counties.

10 In the Lowcountry, District 6 includes the
11 majority of the population in Jasper and Colleton
12 Counties, with the exception of Jasper County's Sun City
13 community and coastal portions of Colleton County in the
14 Green Pond and Edisto precincts.

15 In the Tri-County area District 6 includes
16 approximately 34,000 people in Dorchester County,
17 including areas such as St. George, Ridgeville, rural
18 Dorchester County... I lost my... outside of
19 Summerville, and the West Ashley portion of Dorchester
20 County.

21 District 6 also includes approximately 228,000
22 people in Charleston County. The entire Charleston
23 Peninsula in north Charleston are in the 6th District,
24 with the Cooper River as a natural boundary between the
25 1st and the 6th Districts.

1 The West Ashley portion of Charleston County is
2 also in the 6th, with the Stono River separating West
3 Ashley from James Island and Johns Island in District 1.

4 Change -- as for changes from the benchmark,
5 District 6 retains more than 87 percent of its benchmark
6 population and adds approximately 140,000 people from
7 District 1 in the Tri-County area.

8 Now I'd like to address some -- because
9 District 1 and District 6 seem to have had the most focus
10 in recent days, I want to address a few other -- make a
11 few other points with regard to the District and the first
12 point I would like to make is that this plan is a minimal
13 change plan from the current District, and I'll give you
14 some statistics that demonstrate that.

15 When it comes to constituent consistency, in this
16 plan, Amendment 1, in the 1st District, 82.4 percent of
17 its current population remains in the 1st.

18 Under the competing plan that you're going to
19 hear later, only 65-and-a-half percent remain in the 1st.

20 When it comes to the 2nd Congressional District,
21 98.01 percent of the population currently in the 2nd
22 District remain in the 2nd. Under the plan you're going
23 to hear later today, only 66.56 percent of the population
24 in District 2 remains in the District.

25 Look at District 3. Under this amendment,

1 98.02 percent of District 3 residents remain in the 3rd
2 District. Under the plan you'll hear later, just
3 72.8 percent remain in the District.

4 District 4, 94.34 percent under this plan remain
5 in the 4th District. The amendment -- the proposal you're
6 going to hear later today, 71.5 percent remain in the 4th
7 District.

8 District 5, 94.38 percent of the population
9 remain in the 5th District of the current residents.

10 Under the plan you'll hear later, only 54, almost
11 half .84 percent remain in the 5th.

12 You go to the 6th District, even though we had a
13 lot of growth around the 6th, we still were able in this
14 plan to have 87-and-a-half percent of the current
15 residents of the 6th District remain in the 6th. Under
16 the plan you'll hear later, it will only be 61.4 percent.

17 The 7th District has an amazing 99.96 percent
18 constituent consistency, whereas under the proposed
19 amendment, it dramatically changes to 56.08 percent.

20 So this is a minimal plan and this constituent
21 consistency numbers are evidence of that and that's one of
22 the reapportionment guidelines that we draw plans by.

23 I'm not going to take any questions until I
24 finish my presentation, and then I'll be happy to,
25 Mr. President.

1 So this is a minimal change plan from a plan that
2 was approved by a federal court -- actually by the United
3 States Supreme Court -- as recently as 2012 in the Backus
4 decision.

5 Now 2012 is like yesterday in reapportionment
6 time, okay, because you only do reapportionment every ten
7 years. That was the last reapportionment we did and the
8 Supreme Court upheld our current benchmark and the current
9 benchmark I just read to you, the very minor changes that
10 we've made in this plan, Amendment 1, from the current
11 benchmark both honoring the constituent consistency
12 guideline, but also based upon a plan that the Supreme
13 Court upheld in 2012.

14 And to the extent District 1 and District 6 had
15 the change, it's really driven by growth because the
16 chairman mentioned earlier, we had 87,000 people in the
17 1st District that had to -- we had to shed and we had
18 84,000 people or 85,000 in the 6th District that the 6th
19 District had to pick up.

20 Now I want to also address the issue of some
21 allegations of partisan gerrymandering. I'd like to give
22 some numbers that I think will demonstrate that that's
23 really not the case.

24 In the 1st District, if you look at the Trump
25 vote in the 1st, under the benchmark it was 53.03 percent.

1 That's the benchmark Trump vote in 2020.

2 Under Amendment 1, the vote would be
3 54.39 percent. That's an increase of only 1.36 percent.
4 If you look at Amendment 2 that's going to be presented
5 later, it goes from 53.03 percent Trump to 48.17 percent
6 Trump, as far as the political numbers go.

7 As for constituent consistency, I've already
8 addressed that. But what you see in the constituent
9 consistency numbers is if you're going to make this type
10 of dramatic change to the 1st and the 6th that the 2nd
11 amendment's going to propose, you have to radically change
12 the rest of the state. Some of the other Districts losing
13 50 percent of their constituents under the -- not which,
14 of course, violates that guideline constituent
15 consistency.

16 And I'm also going to address the black voting,
17 the black voting age population in the District because
18 there's been some allegations about some form of racial
19 motivation here and when you look at the numbers, the
20 benchmark plan has in the 1st District 16.56 percent black
21 voting age population. Under this plan, Amendment 1, it
22 has a 16.72 voting age population. Very little change.

23 Under Amendment 2 that you're going to see later,
24 it's higher, it goes to 20.57 percent.

25 The notion -- some have said, well, you've packed

1 minority voters into the 6th District. Well, you look at
2 the benchmark plan for the 6th, it's 51.44 black voting
3 age population. Under this amendment, the black voting
4 age population goes down to 45.9 percent.

5 So certainly the allegations of packing have --
6 are not panned out when you look at the statistics.

7 You had 113,000 people move from a voting age
8 population, move from the 1st to the 6th District. Of
9 that number, of that amount, 72,601 were white voters and
10 26,617 were African-Americans.

11 So you had a 63 percent -- 63.9 percent white
12 vote move from the 1st to the 6th and only a 23.4
13 African-American. Again, did not pack the 6th.

14 Now I'd like to just real quickly, because the
15 1st and the 6th seem to be obtaining -- attracting the
16 most attention, I want to real quickly go through how the
17 -- how both the 1st and the 6th, how we met the
18 redistricting guidelines when we drew these plans.

19 With regard to population equality, we are within
20 the variance. And again, I'm going to reiterate, the
21 changes had to happen to the 1st and the 6th because the
22 1st had tremendous growth and the 6th had about the same
23 amount of people that grew in the 1st that it needed to
24 pick up and it's that growth and that growth pattern that
25 really has driven this process.

1 First of all, with regards to voting rights, the
2 redistricting plan must not have either the purpose or the
3 effect of diluting minority voting strength and must
4 otherwise comply with Section 2 of the Voting Rights Act,
5 as expressed through Thornburg v. Gingles and its progeny,
6 and the 14th and 15th Amendments to the U.S. Constitution.

7 I think when you look at the statistics that's
8 clear that this does comply with Section 2 of the Voting
9 Rights Act. There's no suggestion that District 6 cannot
10 elect a candidate of choice.

11 Avoiding racial gerrymandering, again Amendment 1
12 preserves many of the boundaries upheld in the Backus
13 decision that was handed down in 2012 and affirmed by the
14 U.S. Supreme Court. The 1st District's black voting age
15 population again is virtually unchanged.

16 With regards to the 6th District, the part of
17 Charleston County added to the 6th had a -- is 100,947
18 voting age population, of which 66,756 or 66 percent are
19 white and 22 are black.

20 Yeah, and I would also like to talk about the
21 natural boundaries that we followed because this changes
22 -- this is a change from -- significantly from the House
23 passed plan, in that it follows more geographic and
24 political boundaries.

25 The border of the 1st District with the 6th is

1 largely defined by the Cooper, Ashley, Stono, and Edisto
2 Rivers. The splits in the Charleston County boundary are
3 not along racial lines. It's the -- you have the Cooper
4 River and that is segregating the Charleston Peninsula and
5 the Charleston neck from Daniel Island and the east Cooper
6 area and as you follow the Stono River and Wadmalaw Sound
7 down south again following natural geographic boundaries.

8 Contiguity is another redistricting principle.
9 Contiguity by water is acceptable to link territory with
10 the District, provided there is a reasonable opportunity
11 to access all parts of the District and the linkage is
12 designed to meet other criteria and so in Charleston, the
13 Senator from Richland and I had this conversation
14 yesterday that when you get in the Lowcountry, you can't
15 help but have to deal with -- you have to deal with water
16 bodies, rivers, harbors, and contiguity by water is
17 inescapable along the coast.

18 Communities of interest. Communities of interest
19 should be considered. They're defined by geographic,
20 demographic, historic, and other characteristics that
21 cause people to identify with one another, including
22 economic, social, cultural, language, political and
23 recreational activity.

24 We honor -- we have communities of interest.

25 The Sea Islands of Charleston County and Beaufort

1 County are together in the District and have a coastal
2 community of interest.

3 Sun City, the Sun City portion of Jasper County,
4 is joined with Sun City in Beaufort County.

5 The Dorchester County part of Summerville,
6 Berkeley, the Charleston area is called the Tri-County
7 area. It's economically integrated inescapably and has
8 been for many, many years and it remains so in this plan.

9 It keeps Lexington, Aiken, Barnwell, hold -- I'm
10 not going to go away from the coast because I'm mainly
11 focusing on the coastal areas of the 1st District.

12 On the 6th District, Hampton, Allendale, Bamberg,
13 Calhoun, Clarendon, Williamsburg, Jasper except for Sun
14 City remain in the 6th, Peninsula Charleston, north
15 Charleston, West Ashley, St. Paul's area of Charleston,
16 1st -- as again 1st and 6th District are separated by
17 water boundaries.

18 So that concludes my remarks, Mr. President, my
19 explanation, and I'll be happy to take any questions.

20 PRESIDENT ALEXANDER: Senator from Berkeley, for
21 what purpose do you rise?

22 SENATOR GROOMS: See if the Senator would answer
23 a question.

24 SENATOR CAMPSEN: Yes, I will.

25 PRESIDENT ALEXANDER: Senator yields.

1 Senator from Berkeley.

2 SENATOR GROOMS: Senator, I'm looking at this
3 plan and I'm looking at the other plan I think we've got
4 coming up next and I noticed that we have Berkeley,
5 Charleston, and a large portion of Dorchester County all
6 tied together in this plan; is that right?

7 SENATOR CAMPSSEN: That's correct.

8 SENATOR GROOMS: You want to take a guess at how
9 long Berkeley, Charleston and portions of Dorchester have
10 been tied together in congressional plans throughout the
11 history of this country?

12 SENATOR CAMPSSEN: I think from the founding,
13 Charleston and Berkeley have been tied together, actually
14 from the founding of the country.

15 SENATOR GROOMS: In 1889 through -- I'm sorry --
16 1789 through 1793 there were five Districts. The
17 Charleston District composed of the areas of Berkeley,
18 Charleston, Dorchester, Beaufort and it went up the
19 Savannah River a little bit to what we now have present
20 day Jasper, Hampton and Allendale Counties.

21 But the point is from this nation's founding the
22 majority populations Charleston, Berkeley and Dorchester
23 have been tied together and I'm happy to see that the plan
24 we're debating right now keeps those populations together,
25 but what about the other plan, Amendment 2, does that keep

1 the Tri-County area together?

2 SENATOR CAMPSEN: It's my understanding, it does
3 not. That Berkeley and Dorchester or at least most of
4 those counties are -- not all of them but most of them
5 would go into the 7th Congressional District, is my
6 understanding.

7 SENATOR GROOMS: Did you know that in 1982 there
8 was a reapportionment plan and back then it was not the --
9 there was not the requirement for a one man, one vote,
10 there was some deviational population and at the time my
11 predecessor, Senator Rembert Dennis, argued for about
12 three days on the floor until I think he was clotured,
13 that Berkeley County should not be split.

14 That was one of the first times Berkeley County
15 was split into the 6th District and to the 1st District,
16 with the upper portion of Berkeley going into the 6th but
17 the majority population going into the 1st.

18 So did you know it was split at that time?

19 SENATOR CAMPSEN: I am aware of that but you have
20 been more of a student of history, of the history of the
21 interrelation of Charleston and Berkeley County.

22 SENATOR GROOMS: The point, Senator, that I'm
23 trying -- that I was getting at is sometimes throughout
24 this nation's history, portions of Dorchester, Charleston
25 and Berkeley have been in other Districts but the majority

1 population of those conditions have been in the
2 1st District.

3 So under the plan we're debating now, there's a
4 portion of Charleston County that is in the 6th District.

5 Can you tell us why?

6 SENATOR CAMPSEN: Well, that's really it's been
7 in the 6th historically since the 1990s, is my
8 understanding, and so part of it is constituent
9 consistency, part of it is the Backus decision, as
10 recently as 2012, upheld a similar type split, and also
11 you're just dealing with the -- you have a math problem
12 here because you have a large growth in the Charleston and
13 the coastal areas and it makes it difficult to not divide
14 Charleston if you're going to keep Berkeley and the
15 Tri-County area together, you're going to keep Beaufort,
16 which is a coastal community of interest along the
17 southern coast.

18 It makes it more difficult to do that and, you
19 know, frankly I think what it does mean is you have two
20 Congressmen representing the county and I'd rather have
21 two Congressmen than one represent the county and we're
22 not really -- we still have constituent consistency
23 because the 1st and the 6th are in Charleston County, we
24 still have a pretty good constituent consistency but you
25 have the benefit of two advocates in the U.S. House of

1 Representatives instead of just one, and I think that's
2 been beneficial for Charleston particularly when it comes
3 to pocketbook and business-related issues, port deepening
4 money from the federal government, relief after storms,
5 transportation dollars, infrastructure dollars coming from
6 D.C. I mean all of that, it helps to have two members
7 advocating for those things for a county instead of just
8 one.

9 And you have the same thing in Richland County,
10 two members of Congress in the Greenville-Spartanburg
11 area, the same thing. So the larger metropolitan areas,
12 it's not unusual for them -- in fact it's typical to have
13 two Congressmen representing them.

14 SENATOR GROOMS: So what you're telling me, at
15 least in modern times, at least since 1982 and perhaps
16 even before then, it's not uncommon for one of the
17 Tri-County areas, Charleston, Berkeley and Dorchester, to
18 be split between the 1st and the 6th?

19 SENATOR CAMPSEN: That's correct.

20 That's been the norm.

21 SENATOR GROOMS: So this is not anything new.

22 SENATOR CAMPSEN: Again, it's a minimal change
23 plan, is what -- the way I'd like to put it. Minimal
24 change with regards to the Tri-County area and the three
25 counties but it's also -- it's minimal change when it

1 comes to changing statistics, as far as black voting age
2 that I went through before, the political numbers, the
3 Trump vote moves just slightly. Just slightly.

4 SENATOR GROOMS: So would it be something new if
5 we were split Dorchester -- the majority population of
6 Berkeley and all of Dorchester out of the 1st District and
7 put it into the 7th District with Horry, Georgetown
8 Counties?

9 SENATOR CAMPSSEN: Well, that would be new.

10 I've heard from some Dorchester and Berkeley
11 County people that -- no offense to the wonderful grand
12 strand, Mr. Chairman, but they want to remain in that
13 Tri-County alliance that they have.

14 It's really the economic engine of the port is
15 what you see, and coming up I-26 is a major common
16 interest that they have. You have... you have the port
17 and then you have the distribution facilities in
18 Dorchester and Berkeley County and tremendous growth
19 because of the move, because of the Amazon economy that is
20 now ascendent.

21 SENATOR GROOMS: Senator, you touched on this
22 earlier, but if you could talk to me a little bit more --
23 because I've listened to all the testimony. I've sat
24 there at my computer either on the television on the South
25 Carolina ETV channel and watched the testimony, and I

1 heard allegations that this plan right here is somehow a
2 racial gerrymander and that somehow the black voting
3 population of District 1 and District 6 deviates greatly
4 from the benchmark.

5 Could you talk to me a little bit about how
6 Districts 1 and District 6 regarding black voting
7 population actually changed. Was there a great change?

8 SENATOR CAMPSEN: Yeah, I already addressed that.

9 The truth is that it's a very... it's a very
10 slight change and in fact it's an increase in this
11 amendment, the black voting age population is a slight
12 increase. It goes from 16.56 percent to 16.72 percent in
13 the 1st and a slight decrease in the 6th from
14 51.44 percent to 45.9 percent.

15 SENATOR GROOMS: And a moving population was
16 around and trying to equalize.

17 Earlier you said there was about 86,000 people
18 overpopulated in the 1st and about 86,000 something people
19 in the 6th.

20 SENATOR CAMPSEN: About the same number, yes, and
21 that's why we had to make changes here.

22 SENATOR GROOMS: And in order to make changes and
23 during this population shift, could you tell me about the
24 population that shifted from the 1st District to the 6th?

25 Basically how much was white and how much was

1 black? Because I've heard all kinds of things but I think
2 I know what the truth is and I sure would appreciate it if
3 you could clarify that a little bit.

4 SENATOR CAMPSEN: Yeah, and again, I really don't
5 want to focus on the racial numbers but they have been
6 raised by others, so I will address that, that 113,500
7 people were moved from the 1st to the 6th and 72,600 were
8 white. That's 63.95 percent were white and 26,600 or
9 23.4 percent were African-American. So it was not... we
10 weren't... we weren't packing the 6th, I mean that some
11 have alleged.

12 SENATOR GROOMS: That's a false allegation?

13 SENATOR CAMPSEN: That's correct.

14 The numbers don't bear that out.

15 SENATOR GROOMS: Senator, also under Amendment 1,
16 it looks like all of Beaufort County is whole; is that
17 correct?

18 SENATOR CAMPSEN: Under Amendment 1, all of
19 Beaufort County is in the 1st, yes.

20 SENATOR GROOMS: But Jasper seems to be split,
21 and why is there a split at Jasper?

22 SENATOR CAMPSEN: Well, again, it's population.
23 You've had a lot of growth down there as well.

24 SENATOR GROOMS: Talk to me about Sun City.

25 SENATOR CAMPSEN: In Sun City, in Jasper County,

1 Sun City kind of spans the county line and so you have a
2 Sun City area down there that is part in Jasper and part
3 in Beaufort County.

4 SENATOR GROOMS: Could you tell me about the
5 interstate that connects the Tri-County together? That
6 would be I-26. Is there anything different between I-26
7 and let's say I-77?

8 SENATOR CAMPSSEN: Well --

9 SENATOR GROOMS: Is there a community of interest
10 with Charleston, Berkeley and Dorchester with I-26?

11 SENATOR CAMPSSEN: Yeah, it needs widening, I know
12 that much.

13 SENATOR GROOMS: It does need widening.

14 SENATOR CAMPSSEN: Badly. But yes, there is a
15 huge community of interest, and in fact the Secretary of
16 Transportation has referred to I-26 as the state's
17 economic spine. And I would say that the -- you know, the
18 central nervous system of that economic spine really is
19 the port and that the I-26 terminates in Charleston and
20 you have all of those goods that are moved up I-26 or by
21 rail paralleling I-26 to distribution centers in Berkeley
22 and Dorchester County, and so it's a very big community of
23 interest.

24 Just off the top of my head, you think of the
25 entities that identify themselves as Tri-County, the

1 Tri-County Association of Realtors, the Tri-County Chamber
2 of Commerce, the Convention and Visitors Bureau is
3 Tri-County.

4 We have CHATS, we have COG, we have a lot --
5 there's -- they're intricately interrelated economically,
6 socially, culturally.

7 SENATOR GROOMS: For road planning, CHATS, the
8 Charleston Area Transportation Study committee.

9 SENATOR CAMPSSEN: Right.

10 SENATOR GROOMS: What is the Charleston area?

11 SENATOR CAMPSSEN: It's the Tri-County area.

12 SENATOR GROOMS: Charleston, Berkeley into large
13 populations of Dorchester; is that right?

14 SENATOR CAMPSSEN: Right, right.

15 SENATOR GROOMS: Now tell me, as another plan
16 which separates almost all of Berkeley and all of
17 Dorchester and puts it into the 7th District, could you
18 explain to me the community of interest with, let's say,
19 the community of Cross and the community of Little River,
20 when it comes to roads?

21 SENATOR CAMPSSEN: I can't think of -- the only
22 common interest is you can't get there from here.

23 That's probably about the only common interest.

24 SENATOR GROOMS: Well, you can.

25 SENATOR CAMPSSEN: You can, but it's about a

1 two-and-a-half hour drive, I think.

2 SENATOR GROOMS: What's the drive time, let's say
3 from West Ashley to Columbia? From one end of the
4 proposed 6th District to the other?

5 SENATOR CAMPSEN: It's about an hour-and-a-half,
6 maybe an hour and 40 minutes.

7 SENATOR GROOMS: And is there a common interest
8 for folks in West Ashley wanting to drive I-26 to Columbia
9 and folks in Columbia wanting to drive I-26 to Charleston?

10 SENATOR CAMPSEN: Well, yeah, it's one of the
11 most heavily traveled roads in the state.

12 SENATOR GROOMS: Would that be even more --

13 SENATOR CAMPSEN: In that direction.

14 SENATOR GROOMS: Would that be more of a
15 community of interest than the folks in St. George would
16 have with the folks, let's say in Little River or
17 Marlboro?

18 SENATOR CAMPSEN: I would say so, yes. I see the
19 Senator from Horry shaking his head in agreement.

20 SENATOR GROOMS: Senator, many years ago we both
21 were involved in high school athletes, athletics and our
22 children have. You've traveled to many schools with
23 various conferences and I know my children have.

24 How many conferences in Charleston where the kids
25 would play are in -- would have schools, let's say in

1 Horry or in --

2 SENATOR CAMPSSEN: I never played against anyone
3 in Horry. I don't know if -- because maybe we were scared
4 of some of those Horry guys football players but...

5 SENATOR GROOMS: Did you know I had two children
6 that graduated from Timberland High School and one from
7 Bishop England and that most of the schools that I visited
8 -- and I got stories about all of 'em over a 12-year
9 period, with Summerville High School, Woodland High
10 School, Ashley Ridge, Fort Dorchester, North Charleston
11 High School, Academic Magnet, Whale Branch, Battery Creek
12 -- all those trips down to Beaufort.

13 SENATOR CAMPSSEN: I played against Beaufort High,
14 Battery Creek. Summerville just wiped us clean.

15 This was the Coach McKissick era, and we never
16 beat Summerville but we were playing teams in that area;
17 Summerville, Dorchester, Beaufort.

18 SENATOR GROOMS: Do you recall spending a lot of
19 time in athletics in Horry County?

20 SENATOR CAMPSSEN: Um...

21 SENATOR GROOMS: Particularly in conference play.

22 SENATOR CAMPSSEN: No. I think I surfed in a surf
23 competition in Horry County once and that was it.

24 SENATOR GROOMS: Well, Senator, from a historic
25 standpoint dating back to 1889, holding Charleston,

1 Berkeley and portions of Dorchester together, through
2 today. I appreciate the work of the committee, I
3 appreciate the amendment that's here right now, and I
4 thank you for your work on this.

5 SENATOR CAMPSSEN: Thank you.

6 PRESIDENT ALEXANDER: Senator from Richland, what
7 purpose do you rise?

8 SENATOR SCOTT: Would the Senator yield for a few
9 questions?

10 SENATOR CAMPSSEN: Yes.

11 PRESIDENT ALEXANDER: Senator yields.

12 SENATOR SCOTT: Senator, first let me commend you
13 and the committee for the work that you all have done.

14 One real question is that it's really hard to
15 follow y'all because we don't have a working document in
16 front of us. Such a document would also tell us the total
17 population in these counties, what the deviation numbers
18 actually look like, black and white, voting age
19 population. We don't have --

20 SENATOR CAMPSSEN: I just presented -- I just
21 explained that.

22 PRESIDENT ALEXANDER: Senator Darrell Jackson.

23 SENATOR SCOTT: You can explain it but a working
24 document to be able to follow.

25 SENATOR CAMPSSEN: A document that has been passed

1 out, multipage document has that in it.

2 SENATOR SCOTT: This is the document?

3 This is the only document I have on my desk.

4 SENATOR CAMPSSEN: Yes.

5 SENATOR SCOTT: It doesn't give me the population
6 when I get to Richland County, if I wanted to know what's
7 in the 6th and what's in the 2nd.

8 SENATOR CAMPSSEN: It's the first page.

9 No, it's the total population.

10 SENATOR SCOTT: I need to know the total
11 population of the four 16 --

12 SENATOR CAMPSSEN: You want to know -- that's not
13 in that. You want to know the population of Richland
14 that's in the 6th versus the 2nd?

15 SENATOR SCOTT: Yes, right. I know the total
16 county population because I've been following along but
17 it's hard to have for me to follow -- I'm looking at the
18 6th having 14 different counties, wholes and splits. I'm
19 looking at Greenville having two counties where you've
20 taken a small piece off in the fourth. I'm looking at the
21 3rd having about roughly eight counties and the 5th
22 roughly about ten counties and I'm trying to figure out if
23 I wanted to go to each one of the counties and try to put
24 it together and then take a look at what the voting age
25 population is for each one of 'em, I don't have a document

1 to help me do that.

2 I know the committee has come up with its
3 proposal to present to the body but there's the rest of us
4 who don't sit on the committee, sit on judiciary and all
5 the --

6 SENATOR CAMPSSEN: Well, Senator, one thing I can
7 help you with on the splits, if you look at page 15 of
8 that document, you look at the benchmark, Senate
9 Amendment 1, Senate Amendment 2A you have the splits of
10 counties and in the benchmark for the 6th you had nine
11 splits and in Amendment 1, you have eight.

12 SENATOR SCOTT: Senator, I only have page 13.

13 I don't have --

14 SENATOR CAMPSSEN: Excuse me, it's page 15, I'm
15 sorry.

16 SENATOR SCOTT: I don't have page 15.

17 I stop at page 13.

18 SENATOR CAMPSSEN: Oh, well...

19 SENATOR SCOTT: So what I'm simply saying is that
20 in the reapportionment --

21 SENATOR CAMPSSEN: It is available on the website,
22 I've been informed right now.

23 SENATOR SCOTT: Yeah, but --

24 SENATOR CAMPSSEN: For everyone.

25 SENATOR SCOTT: I've looked at the website. The

1 website give me total population and each one of the
2 Districts. I'm saying it would work better to be able to
3 follow you easily and to eliminate a lot of questions if
4 we had some working documents that show population, these
5 counties and we go in what they actually look like.

6 One example, when I go to Charleston County and I
7 follow some of that -- not being a part of the committee
8 and I look at the 6th Congressional District and I think
9 what y'all had in Charleston County was like 228,000 --
10 and that may have changed since y'all last amendment and
11 in Richland County like 218,000 but that's some
12 independent work I've done on my own.

13 So I'm asking the question. I need to know what
14 those numbers are in those counties.

15 SENATOR CAMPSEN: We could have staff provide
16 that for you, Senator. We'll do that and it is available
17 on the website but we will have Will Roberts get in touch
18 with you on that.

19 SENATOR SCOTT: The other question, in looking at
20 the 3rd, the central location of the 3rd, unlike the 6th,
21 where Richland County is not made whole.

22 You only took, based on my calculation, half of
23 it that went into the 6th, the other half went into the
24 2nd. What was the thinking pattern with that? Because
25 that would have eliminated a whole lot of small drawings

1 when you got down to some of the other counties.

2 SENATOR CAMPSEN: Those lines are almost exactly
3 what they are under the benchmark.

4 SENATOR SCOTT: I understand that but I'm asking
5 what was the thought pattern because I recognize that the
6 6th lost 34,000 in population. It needed to go to 84,000
7 to make the 730 a perfect district.

8 So we're looking for -- 84,000 population does
9 not mean that during reapportionment you can't shift
10 counties around. Looking at the 2nd. Of 2nd, 10 was at
11 720. Only 10,000.

12 That's the whole reason for reapportioning, to
13 reapportion these counties to cut down on some of the
14 county precinct splits and have less counties as possible
15 because when I really follow this map, the counties that
16 remain in the 6th, with the exception of I think Berkeley
17 and Dorchester got some industry into it, major industry
18 that all these other counties are pretty poor counties and
19 if you're going to have to balance it so it works in
20 looking at trying to provide some revenue or some
21 corporations or some tax base in these counties, and so
22 I'm just trying to figure out the thought process, when I
23 asked you about what the numbers are, which counties we
24 can shift, it may have been in it last time, doesn't mean
25 it has to be in it this time. At least that's what my

1 experience says in the three times I've had
2 reapportionment since I've been in this general assembly.

3 So I know you tried to maintain most of them
4 exactly the way it was before but you've had a total
5 population shift in the state.

6 19 counties lost population.

7 SENATOR CAMPSSEN: Well, I mean constituent
8 consistency, maintaining core portions of a District, are
9 reapportionment guidelines and this plan does it very well
10 because except for where you had the real strong growth,
11 it's in the mid to high 90 percent residence remaining in
12 the same District and frankly you couldn't quite reach the
13 90 plus level when it comes to the coastal region because
14 of the amount of growth and you had about the same amount
15 of growth that the 1st had to shed, 85,000 about, and you
16 had about 85,000 that the 6th had to pick up and the 6th
17 is contiguous to it, and so you look at the keeping
18 Districts core Districts, the core part of Districts
19 together and also --

20 SENATOR SCOTT: Let's examine the thought process
21 you just gave as I listen to the Senator from Berkeley
22 talked about Berkeley.

23 When I go into that region of Orangeburg,
24 Bamberg, Allendale, Colleton and Hampton, that lost
25 population and all those counties and I look at the

1 adjacent counties, Dorchester and Berkeley, it's probably
2 where they shift in but I have no way of actually knowing.

3 And the state grew 500,000, the total in
4 population which says that it is almost in order to get
5 this thing and make some real sense.

6 The core part of what we keep talking about may
7 require a shifting because of core economic apportionment
8 in those Districts shift to other counties, simply because
9 we did not provide enough economic growth, with industry
10 and others, to maintain the core of those counties.

11 And so if the county was, four, 10 years ago,
12 20 years ago, 30 years ago unless we make some adjustments
13 in these Congressional Districts, that means that
14 Congressional District is always going to be poor.

15 And I think in terms of what we're trying to do
16 in growing the economy in South Carolina, we should open
17 our minds up to be a little bit more flexible and trying
18 to either grow some industry that's already occurred in
19 these Congressional Districts, if not shift some of these
20 counties around.

21 It just kind of bothers me up in Greenville, the
22 core for the 4th District is all of Greenville.

23 When I get to Richland, only half of the core.

24 When I get to Lexington, where the 2nd really is,
25 because it's a spillover, that means in the 2nd, Lexington

1 is whole.

2 And so when I get to Horry County, the 7th, it's
3 whole and so it raises some real concern:

4 Can we do develop maps in the core portion of
5 these Congressional Districts, making those particular
6 counties whole, other than amending the lifestyle?

7 SENATOR CAMPSSEN: Well, the counties or the
8 Districts that remain very -- that experienced little
9 change are Districts that had very little growth, along
10 with their neighbors.

11 So again, you had this large, large growth over
12 the last ten years along the coast and so this is why we
13 had to make significant changes no matter how you --
14 whatever map you come up with, you're going to have to
15 make pretty significant changes in the 1st and the 6th.

16 SENATOR SCOTT: I'm trying to examine the maps
17 and look at all the maps and provide what my thinking
18 pattern is in it. I'm not so sure how you change it so
19 you do get growth in the next ten years based on the way
20 we have designed these maps this time.

21 Because you still don't have counties with the
22 exception of Dorchester and Berkeley in the bottom, that
23 these counties have any form of advantage of trying to
24 grow the population as we drew it right back the way it
25 was.

1 SENATOR CAMPSSEN: Well, we can't do that.

2 We have to reapportion every ten years.

3 SENATOR SCOTT: I understand that but you could
4 reapportion, this ten years, a plan that makes a little
5 better sense than putting all these poor counties again
6 stacked in one District.

7 I think as soon as y'all can give me that
8 information, I'd appreciate it, then I can come back and
9 really ask some questions that I think make some sense.

10 SENATOR CAMPSSEN: Thank you, Senator.

11 PRESIDENT ALEXANDER: Senator from Colleton, what
12 purpose do you rise?

13 SENATOR BRIGHT MATTHEWS: To see if the Senator
14 would yield for a couple of questions.

15 SENATOR CAMPSSEN: Yes.

16 PRESIDENT ALEXANDER: Senator yields.

17 SENATOR BRIGHT MATTHEWS: Now you were one of the
18 members on the redistricting subcommittee for the Senate;
19 is that correct?

20 SENATOR CAMPSSEN: That's right.

21 SENATOR BRIGHT MATTHEWS: And you, along with
22 myself and several other members, served and prior to the
23 redistricting committee under the Senator from Horry's
24 leadership we, before we even started talking about the
25 Senate maps or the congressional maps, the first thing we

1 did was to go over and approve guidelines.

2 SENATOR CAMPSSEN: Correct.

3 SENATOR BRIGHT MATTHEWS: Now do you testify or
4 present your position on Senate Plan Amendment A based
5 upon those guidelines?

6 SENATOR CAMPSSEN: Well, yes.

7 I explained some of the --

8 SENATOR BRIGHT MATTHEWS: I heard you.

9 SENATOR CAMPSSEN: -- manner or ways in which the
10 plan meets the guidelines.

11 SENATOR BRIGHT MATTHEWS: Do you have the
12 guidelines? Is that what the Senator from Horry is
13 handing up to you now?

14 SENATOR CAMPSSEN: Yeah, I have one in my book and
15 he handed me one too.

16 SENATOR BRIGHT MATTHEWS: Mr. President, while I
17 am proceeding, I know quite a few members in the chamber
18 do not have the guidelines. I would move unanimously -- I
19 request unanimous consent to pass out the guidelines.

20 The pages have already copied those and is ready
21 to distribute.

22 PRESIDENT ALEXANDER: You want to distribute
23 information to the chambers?

24 SENATOR BRIGHT MATTHEWS: Yes, the guidelines for
25 which we are about to... they are already out, if the

1 pages would deliver them.

2 PRESIDENT ALEXANDER: Without objection.

3 SENATOR BRIGHT MATTHEWS: If we could have one
4 set going over there.

5 Now if you would, in looking at the guidelines
6 that -- you've already gone over in a cursory and very
7 efficient manner. The first one is requirements of
8 federal law. You talked about population equality and you
9 also started out by talking about legislative Districts
10 and you very well explained that this time there's only a
11 deviation of one man, one vote. One man, one person.

12 SENATOR CAMPSSEN: Correct.

13 SENATOR BRIGHT MATTHEWS: Okay.

14 And then you talked about the Congressional --

15 SENATOR CAMPSSEN: That's a federal requirement, a
16 Constitutional requirement.

17 SENATOR BRIGHT MATTHEWS: And then you talked
18 about voting rights, and you did a very good job of going
19 over the different -- generally what Shaw v. Reno and
20 Thornburg v. Gingles and you talked about contiguity as
21 well as the other considerations like communities of
22 interest, constituency service.

23 Aren't those all of the areas generally that when
24 we sat through all of those hearings where citizens came
25 in and talked about their areas, didn't we hear different

1 people touch on different -- each one of these -- these
2 considerations or guidelines that our committee had
3 already set up?

4 SENATOR CAMPSSEN: Yeah, we had a lot of diverse
5 opinions that we heard that touched upon these guidelines
6 and some of the opinions didn't really address the
7 guidelines, but that's okay too.

8 SENATOR BRIGHT MATTHEWS: Correct.

9 Senator, you are a legislative delegation member
10 that represents Charleston with myself.

11 SENATOR CAMPSSEN: Correct.

12 SENATOR BRIGHT MATTHEWS: Even though the Senator
13 from -- two senators that are up in the balcony from
14 Charleston that share a balcony, share representation of
15 Charleston don't think we represent that much of
16 Charleston. We also are delegation members on the
17 Colleton County delegation as well as Beaufort delegation.

18 SENATOR CAMPSSEN: Correct.

19 SENATOR BRIGHT MATTHEWS: So in this chamber you
20 and I are probably the ones that are kissing cousins
21 representing most of the Lowcountry.

22 SENATOR CAMPSSEN: I would claim you as a kissing
23 cousin any day, Senator.

24 SENATOR BRIGHT MATTHEWS: Now Senator, we adhered
25 to these guidelines in everything we tried to do regarding

1 the Congressional plans and discussing it, did we not?

2 SENATOR CAMPSEN: Well, you tried to, although at
3 times there's conflicting provisions that in a particular
4 application may be conflicting and you -- and sometimes
5 it's even impossible to follow them. They are not -- they
6 are guidelines. They are not absolute, you know,
7 requirements because no plan can probably meet every
8 single guideline absolutely.

9 SENATOR BRIGHT MATTHEWS: Well, can you tell me,
10 in looking at this plan that is adopted September 17th,
11 2021, where is it on that plan of our guidelines that 2020
12 redistricting guidelines sheet that the Senate Judiciary
13 Committee adopted, where is the word "benchmark"?

14 You have told us over and over again about the
15 benchmark from 2012, and here we are in 2022 and nowhere
16 in any case law or in the Senate redistricting
17 subcommittee guidelines is the word or the notion or that
18 we've talked about in any of our subcommittees where we
19 talked about benchmarks.

20 SENATOR CAMPSEN: Well, the benchmark is just a
21 term to reference the existing Districts, number one.

22 And number two, not making dramatic changes to
23 the existing plan does -- does satisfy, in part anyway,
24 the guideline of constituent consistency. Preserving the
25 cores of existing Districts, keeping incumbent residents

1 and Districts with their core constituents, avoiding
2 contests between incumbent legislators. So it is --
3 that's a guideline. It's not an overriding guideline that
4 overrides others, but it is a guideline.

5 SENATOR BRIGHT MATTHEWS: So just for the rest of
6 the chamber, because they weren't on the subcommittee,
7 when we referred to constituent consistency on the last
8 page, it is Section 3, subtitle B, constituent
9 consistency, preserving the cores of existing District,
10 keeping incumbents, residences in Districts with their
11 core constituents and avoiding contests between incumbent
12 legislators should be considered.

13 So -- but when you started out your presentation,
14 did I not understand that that was a primary concern of
15 you or did I misconstrue what you were saying?

16 SENATOR CAMPSSEN: It's not a primary concern,
17 it's a description of the plan that it's minimizing the
18 changes, honoring -- that is an honoring of core
19 constituency and that's a legitimate... that's a
20 legitimate redistricting guideline and a legitimate
21 political choice to make as well.

22 SENATOR BRIGHT MATTHEWS: Well, Senator, I tried
23 my best, in your presentation, I tried my best to take
24 copious notes but I -- the first thing you got up when you
25 said... you said primarily the biggest point about the

1 Senate Plan Amendment A was the constituent consistency
2 rate of 84 percent. Is that not -- is that not a concern
3 now of yours?

4 SENATOR CAMPSSEN: No. If you look on page 14 of
5 the handout that's online, apparently there was a
6 somewhat -- you didn't get the last two or three pages,
7 apparently --

8 SENATOR BRIGHT MATTHEWS: Let's clarify for the
9 record. I apologize for interrupting. You said page 15
10 but it's actually page 13 that you were referring to.

11 This handout, for the record --

12 SENATOR CAMPSSEN: I think we have a different
13 version. I have one that was just updated, I think.

14 SENATOR BRIGHT MATTHEWS: I want to make sure
15 we're talking from the same page.

16 SENATOR CAMPSSEN: If you look at constituent
17 consistency and the spreadsheet has District 1 through 7,
18 and then in Senate Amendment 1 it has the percentage of
19 residents in the District, that remain in the District
20 after, you know -- under this plan and then next to it,
21 under Senate Amendment 2A, same metric but the percentage
22 of the residents who remain in the District plan 2A and
23 Senate Amendment 1 --

24 SENATOR BRIGHT MATTHEWS: Senator, out of
25 fairness to you as well as protecting the rights of all

1 the constituents in South Carolina under this plan, I
2 respectfully submit to you that upon my request earlier
3 that we receive the comparison report that was referred to
4 in your Judiciary Committee meeting, on yesterday I
5 requested that we stand at ease until you provided to --
6 that the committee provide it to the entire Senate.

7 Just one second.

8 I respectfully submit to you now, you have
9 referred in two different times of my questioning to pages
10 that are not consistent. I understand since then that --
11 since I made the request for these documents the committee
12 has finally uploaded their work on the site, the Senate
13 redistricting site.

14 So I'm going to ask whether or not what you're
15 referring to regarding benchmark and constituent
16 consistency, whether or not it in fact begins on page 8,
17 the bottom -- excuse me -- on the bottom of page 10 and
18 extends to page 13.

19 SENATOR CAMPSEN: You were -- you asked for and
20 were given what was handed out in committee and it's the
21 same data, it's just formatted differently.

22 SENATOR BRIGHT MATTHEWS: I believe you.

23 SENATOR CAMPSEN: Bigger numbers.

24 So I can read it from here. I'll give you this
25 version too. I'll be happy to do that.

1 SENATOR BRIGHT MATTHEWS: I was just trying to
2 make sure that we follow along.

3 SENATOR CAMPSSEN: Yeah.

4 SENATOR BRIGHT MATTHEWS: That's why I asked are
5 you referring to constituent consistency of the pages that
6 we receive that starts on page 10 and it says what
7 percentage of the new District's population is made up of
8 benchmark -- of the benchmark Districts.

9 SENATOR CAMPSSEN: Yeah, yes, it begins on page 10
10 but I'm looking -- I'm referring you to the numbers at the
11 bottom of page 11 because it goes from page 10 over to
12 page 11.

13 SENATOR BRIGHT MATTHEWS: Got it.
14 We're saying the same thing.

15 SENATOR CAMPSSEN: Right.

16 SENATOR BRIGHT MATTHEWS: So in committee meeting
17 there was a lot of talk. Now if I go on what you're
18 talking about here, it says -- it compares the Senate
19 Amendment 1 that you're presenting and it says that as it
20 relates to municipalities, there are 22 splits but as
21 compared to Senate Amendment 2A, there are only 15 splits.

22 SENATOR CAMPSSEN: That's correct.

23 SENATOR BRIGHT MATTHEWS: And the benchmark had
24 19. Now the benchmark that you're referring to, that is
25 not a plan, if I go by what the Senator from Berkeley,

1 Senator Grooms just talked about, that particular plan was
2 not actually approved, it had to be approved and created
3 in the courts; am I correct?

4 SENATOR CAMPSEN: No.

5 SENATOR BRIGHT MATTHEWS: So let's move on.

6 SENATOR CAMPSEN: It was challenged but upheld.

7 But going to the city benchmarks, you do have 19
8 splits in the benchmark, you have 22 splits in
9 Amendment 1, you have 15 splits in Amendment 2 but the
10 truth is when it comes to cities, you're always going to
11 have a lot of splits and dynamic splits because cities
12 cross-county boundaries, for example, and so you have
13 cities that cross-county boundaries, cities are always as
14 you know we all know because the annexation war is kind
15 of -- sometimes bubble up and rise to the level of
16 municipalities want to make changes to your annexation
17 laws.

18 So cities are constantly annexing and they're
19 annexing and they may annex a piece of property that's in
20 the same county but outside of the District, you know, or
21 they may annex something in another county and so that is
22 kind of -- that's just the way cities are because they are
23 constantly engaged in annexing their boundaries are
24 changing all the time.

25 You and I know, we in the Lowcountry, it's

1 Yemassee. Yemassee has done a lot of annexation, so we do
2 have -- so those are the splits benchmark 19, 22 and
3 amendment 115 --

4 SENATOR BRIGHT MATTHEWS: Am I understanding
5 you --

6 SENATOR CAMPSSEN: -- on the cities.

7 SENATOR BRIGHT MATTHEWS: Am I understanding --
8 and for everybody else's edification in here you're saying
9 the less splits, no matter what, is better, correct?

10 SENATOR CAMPSSEN: No, it's just a factor to
11 consider, that's all. It's just a factor to consider.

12 SENATOR BRIGHT MATTHEWS: So what about do you
13 remember the Colleton County case?

14 SENATOR CAMPSSEN: Colleton County v. McConnell?

15 SENATOR BRIGHT MATTHEWS: Versus McConnell.

16 SENATOR CAMPSSEN: Yes.

17 SENATOR BRIGHT MATTHEWS: What did that case --
18 what was that filed upon, what premise? They wanted to
19 keep counties whole, isn't that right? Primarily they
20 wanted to keep -- if I'm wrong --

21 SENATOR CAMPSSEN: That one was an impasse.

22 The courts drew the lines because the legislature
23 reached an impasse.

24 SENATOR BRIGHT MATTHEWS: I know, but I'm asking
25 why did they file it? You represent Colleton County and

1 that's -- Mr. Terreni's shaking his head but I want to
2 know whether or not that was why it was filed.

3 I'm not asking for the ruling. Is that what --

4 SENATOR CAMPSEN: Because there wasn't a plan
5 that the general assembly produced.

6 SENATOR BRIGHT MATTHEWS: I am asking, did
7 Colleton County want to remain whole?

8 SENATOR CAMPSEN: Oh, I don't know.

9 I don't know.

10 SENATOR BRIGHT MATTHEWS: You didn't look at that
11 case?

12 SENATOR CAMPSEN: I don't know.

13 SENATOR BRIGHT MATTHEWS: So people of Colleton,
14 you don't know that we wanted to remain whole.

15 What about minimizing division of county
16 boundaries? And it's on my page 12. Under Senate Plan 1,
17 Amendment 1 that you're talking about, you have four under
18 minimizing division of county boundaries under District 1.

19 SENATOR CAMPSEN: Right.

20 SENATOR BRIGHT MATTHEWS: And the plan that is
21 presented by Senate Amendment 2 has a one.

22 So that's less counties.

23 SENATOR CAMPSEN: Right, and the benchmark has
24 five.

25 SENATOR BRIGHT MATTHEWS: Okay, so we're going in

1 the right direction with Senate District -- Senate
2 Amendment 2.

3 What about on 6? It looks like the benchmark --
4 or the old map is what I'm going to refer instead of
5 benchmark because I think we need to do better.

6 SENATOR CAMPSSEN: Existing one.

7 SENATOR BRIGHT MATTHEWS: Well, because the
8 population has changed, benchmark isn't where we need to
9 be, we need to do better to make it right, correct?

10 We don't need a map from ten years ago.

11 SENATOR CAMPSSEN: No, we have to do a map every
12 ten years.

13 SENATOR BRIGHT MATTHEWS: Right, so let's just
14 skip over what benchmark is. Under the area that I
15 represent is 1 and 6. My counties intersect out of
16 Congressional District 1 and 6.

17 It looks like on the map you're advocating the
18 number of counties that is split is eight but the number
19 of counties that I have proposed on the Senate Amendment
20 No. 2 is only two.

21 So I understand -- am I correct in understanding
22 that the reason why you think that it's okay is because of
23 your colloquy with the Senator from Berkeley talking about
24 these Districts and economic interests and whatnot and
25 consistency of those folks being represented by the same

1 congressman; is that what your position is as you go --

2 SENATOR CAMPSEN: Senator, I did not place any
3 one reapportionment -- I mean, there are some that there
4 is a hierarchy, I mean it's like the Voting Rights Act and
5 the Constitutional requirement, one man, one vote.

6 But there are other guidelines that sometimes you
7 meet one and it means you can't meet the other.

8 I was simply explaining that considering the
9 growth we had in South Carolina, this Plan Amendment 1
10 does a pretty amazing job of keeping constituents in the
11 same District.

12 It's a very high percentage and it's a lot higher
13 percentage than the plan under 2 in the same Congressional
14 District, and that's the only point I'm making.

15 That's not the only factor but it is a factor and
16 the plan does a good job and one reason I'm making that
17 plan -- because people are saying this is gerrymandering.

18 Well, if you going to gerrymander, you've got to
19 change. You've got to change the Districts dramatically
20 if you're doing that gerrymandering, and we're not hardly
21 changing them at all.

22 SENATOR BRIGHT MATTHEWS: Senator, Senator,
23 Senator, we I believe sat through only one day of hearings
24 as it relates to the Congressional plan, and primarily the
25 comments that were received were from people who had a

1 comment regarding the 6th versus the 1st Congressional
2 District. Isn't that the majority of the comments we
3 received in the public hearings last Friday or Thursday?

4 SENATOR CAMPSSEN: Yes.

5 SENATOR BRIGHT MATTHEWS: And tell me, if you
6 would, what percentage of those folks -- because I don't
7 want this body, this Senate, to turn into what is in D.C.
8 where we always doing dog whistling regarding race.

9 What percentage of the folks that came and
10 testified before us, what percentage did you hear say
11 racial gerrymandering versus keep Charleston County whole?

12 Because I didn't hear a whole lot of that.

13 SENATOR CAMPSSEN: No, I'm not talking about
14 racial gerrymandering.

15 SENATOR BRIGHT MATTHEWS: You just said it.

16 SENATOR CAMPSSEN: No, I was talking about
17 political gerrymandering.

18 SENATOR BRIGHT MATTHEWS: No, earlier you said
19 racial -- I wrote it down. You said there's been
20 allegations of racial gerrymandering.

21 SENATOR CAMPSSEN: Well, I have heard that too but
22 not in that meeting but I've heard -- I've heard an
23 allegation on that.

24 SENATOR BRIGHT MATTHEWS: Almost 90 percent of
25 the people who came and talked --

1 SENATOR CAMPSSEN: I'm not talking about the
2 people --

3 SENATOR BRIGHT MATTHEWS: -- regardless of their
4 complexion, said keep Charleston County whole. A
5 percentage came from Dorchester and Berkeley and said keep
6 us with Charleston County, right?

7 SENATOR CAMPSSEN: Senator, I was making the point
8 that people said we're backing or we're -- and if you have
9 very little change on the existing map, that's not
10 gerrymandering because you're basically using the lines of
11 the existing map and that's a legitimate reapportionment
12 principle or guiding principle and that's the only point
13 I'm making, and this map largely does that where it can.
14 I can't do that where there's tremendous growth because
15 it's impossible because you have to have the same number
16 of people in each District.

17 And as far as that -- as far as the Zoom meeting,
18 I'm not saying anyone made any allegation of racial
19 gerrymandering there at all, I'm not saying that, but I
20 have heard those allegations, you know, over the course of
21 this extended reapportionment process, I have heard that.

22 And I just wanted to make -- I just wanted to
23 present some data to indicate that that has not happened.

24 SENATOR BRIGHT MATTHEWS: Did you know, when you
25 gave in your initial presentation that gave the numbers

1 that I totally agree with you, that Congressional
2 District 1 picked up an additional 88,000, whereas
3 Congressional District 6 lost in the last census 85,000?

4 So one would think that the most obvious, the
5 most obvious, would you not agree, the most obvious way to
6 handle that -- because we all agree and we all know that
7 the areas that and I represent, we've gained population,
8 whereas the middle -- whereas Richland County in the
9 middle of South Carolina, has lost population.

10 We all agree with that, right?

11 SENATOR CAMPSSEN: Yes.

12 SENATOR BRIGHT MATTHEWS: So what confused me
13 when I first saw your amendment is then if you have gained
14 properly in the Lowcountry -- and we need to gain about
15 the same amount with the difference of 3,000 -- why did
16 you go and snake in or salamander into a portion of
17 Charleston to grab your votes?

18 Because we're not going to get into the racial
19 gerrymandering thing because you and I both know in
20 Charleston it matters not about your race, it is just that
21 you went by how those folks voted in West Ashley.

22 You pushed, you pulled --

23 SENATOR CAMPSSEN: Actually --

24 SENATOR BRIGHT MATTHEWS: Let me just finish my
25 question and then I'll sit down.

1 It appears that there's a salamandering effect.
2 Instead of pulling the 85,000 that Congressional
3 District 6 needed, instead of pulling those out of
4 Clarendon, Orangeburg, the upper part of Dorchester and
5 Berkeley, there was apparently a decision to salamander
6 into the lower part of Charleston, the Democratic voting
7 area of Charleston, and snatch those people that are in my
8 District and yours.

9 SENATOR CAMPSSEN: Senator, the main thing we did
10 in Charleston and to the House plan that's sent over here
11 is we're following geographic boundaries in Charleston.

12 We're following the Ashepoo -- I mean the Stono
13 River, the Wadmalaw Sound, the Wanda -- the Cooper River,
14 we're following that and we took -- as I recall, it's
15 about 78,000 people who moved from the 1st to the -- I
16 mean from the 6th to the 1st.

17 78,000 came from the 6th to the 1st.

18 SENATOR BRIGHT MATTHEWS: That boundary does not
19 flush out when you could have gotten out of Colleton
20 County 30,000 people to add, to give, meaning that only
21 50,000 would be needed after there.

22 Instead you skip over a portion of Colleton and
23 snaked around into the bottom of Charleston, and you could
24 have gotten this same number if you had entertained a plan
25 which would have given it to you so that that

1 Congressional District would not snake unnecessarily into
2 the Lowcountry.

3 SENATOR CAMPSSEN: Well, Senator, there's a lot of
4 ways you can draw a plan. You know that because you've
5 been on the subcommittee.

6 And so there's a lot of decisions along the way
7 that end up producing a particular plan.

8 SENATOR BRIGHT MATTHEWS: Senator, you know, I
9 really appreciate you agreeing with me that our opposition
10 to Senate Plan 1 versus 2 is not about racial, it's about
11 gerrymandering and packing; packing the 6th Congressional
12 District to make the 1st Congressional District more
13 electable but with Trump numbers.

14 SENATOR CAMPSSEN: Well, Senator, if you have
15 consistency, you haven't changed much and if you're going
16 to gerrymander, you have to change a lot of things, is the
17 point I'm making.

18 PRESIDENT ALEXANDER: Senator from Richland,
19 Senator Harpootlian what purpose do you rise?

20 SENATOR HARPOOTLIAN: Would the speaker yield to
21 a question?

22 PRESIDENT ALEXANDER: Does the speaker yield?

23 SENATOR CAMPSSEN: Yes.

24 PRESIDENT ALEXANDER: The speaker yields.

25 Senator from Richland.

1 SENATOR HARPOOTLIAN: Senator, I've got an
2 amendment I'm going to propose after we vote on your
3 amendment and I'm going to deal with a lot of the issues
4 that I could ask you about but we went over them in
5 committee yesterday so unless you have some reason to
6 change any of your answers yesterday I'll just move on, if
7 that's okay with you.

8 SENATOR CAMPSSEN: I'm happy for you to move on,
9 Senator.

10 SENATOR HARPOOTLIAN: That's what I thought. So
11 are you familiar with the case of Shelby v. Holder?

12 SENATOR CAMPSSEN: Yes.

13 SENATOR HARPOOTLIAN: And could you tell me,
14 please, what you think it did?

15 SENATOR CAMPSSEN: I'm not real familiar with it,
16 but Shelby --

17 SENATOR HARPOOTLIAN: Let me just make this
18 quick. Shelby v. Holder struck down Sections 4 and 5 of
19 the Voting Rights Act.

20 SENATOR CAMPSSEN: Oh, the Voting Rights Act case,
21 yes.

22 SENATOR HARPOOTLIAN: Now you would agree with me
23 that the Voting Rights Act was in effect when the 2012
24 plan was adopted, correct?

25 SENATOR CAMPSSEN: Well, it's still in effect

1 today but those sections were in effect.

2 SENATOR HARPOOTLIAN: I'm talking about
3 Sections 4 and 5.

4 SENATOR CAMPSSEN: Yes, they were in effect, yes.

5 SENATOR HARPOOTLIAN: The only real section we
6 look at now is Section 2; is that correct?

7 SENATOR CAMPSSEN: Correct.

8 SENATOR HARPOOTLIAN: So the plan that was
9 composed in 2012 was one that was shaped by the Voting
10 Rights Act, Sections 4 and 5, to some extent, correct?

11 SENATOR CAMPSSEN: Well, certainly it was impacted
12 because preclearance was required.

13 SENATOR HARPOOTLIAN: Well, and no retrogression,
14 right?

15 SENATOR CAMPSSEN: Correct.

16 SENATOR HARPOOTLIAN: And that's no longer the
17 rule. You can have retrogression now, correct?

18 SENATOR CAMPSSEN: I'm not sure.

19 It certainly can't be a primary objective but
20 that can't be primary for sure.

21 SENATOR HARPOOTLIAN: As long as it doesn't
22 violate Section 2.

23 SENATOR CAMPSSEN: Excuse me?

24 SENATOR HARPOOTLIAN: If the retrogression
25 doesn't violate Section 2.

1 SENATOR CAMPSSEN: Yes, yes.

2 SENATOR HARPOOTLIAN: So you would agree with me
3 that the so-called benchmark plan is one that was
4 constructed under constraints that no longer exist today,
5 to some extent?

6 SENATOR CAMPSSEN: Yes, the Senate did -- it was
7 in a different legal environment, yes.

8 SENATOR HARPOOTLIAN: Right. And that
9 environment was more restrictive on this body and other
10 bodies in composing a reapportionment plan, was it not?

11 SENATOR CAMPSSEN: Yes, that was restrictive on
12 states that were subject to Section 5 oversight, yes.

13 SENATOR HARPOOTLIAN: Right. So now, freed from
14 those constraints, freed from the handcuffs imposed by the
15 Washington bureaucracy, tell me what analysis was used by
16 you and others that composed this plan, to see what we
17 could do to straighten out some of the weird shapes and
18 gerrymandered -- I mean they were gerrymandered for
19 allegedly legitimate purposes to meet Section 4 and
20 Section 5 preclearance.

21 What did you do to change the plan? How did you
22 look at that, in devising this, or did you?

23 SENATOR CAMPSSEN: Well, we weren't completely
24 restrained to the existing lines. I mean I'm -- in
25 drawing this but preserving core parts of existing

1 Districts, and constituent consistency are reapportionment
2 guidelines that would tend to push a plan in the direction
3 of something being similar to the current plan.

4 SENATOR HARPOOTLIAN: But the current plan was
5 imposed by Federal edict, almost, over the years. It
6 changed but basically the idea was to create a majority
7 minority Congressional District, correct?

8 SENATOR CAMPSSEN: Yeah, originally, and it was
9 upheld as recently as 2012. I think you're very familiar
10 with the Backus case and opinion, Senator.

11 SENATOR HARPOOTLIAN: I am.

12 SENATOR CAMPSSEN: And it was upheld as recently
13 as 2012 which again, is as recent as you can get when it
14 comes to reapportionment.

15 SENATOR HARPOOTLIAN: Well, no, actually when you
16 look at Shelby v. Holder and a number of out -- there's
17 another Alabama case --

18 SENATOR CAMPSSEN: I'm talking about a case that
19 dealt with our plan and upheld it.

20 SENATOR HARPOOTLIAN: But you would agree with me
21 the law's changed since that plan was upheld, correct?

22 SENATOR CAMPSSEN: It has, yes.

23 SENATOR HARPOOTLIAN: And what adjustments were
24 made by you in devising this plan to accommodate that,
25 those changes, or were there any considerations?

1 SENATOR CAMPSSEN: Well, we didn't have -- I mean
2 we didn't have preclearance requirements because Section 5
3 had been struck down.

4 SENATOR HARPOOTLIAN: Right.

5 No retrogression analysis.

6 SENATOR CAMPSSEN: Well, that would happen -- you
7 know, that's something that would happen in -- if it...
8 you look at retrogression analysis, I mean I know what we
9 did in the 1st District and the 6th. I mean, BVAP -- the
10 BVAP went down, not up. It wasn't packing.

11 SENATOR HARPOOTLIAN: And did you do any racial
12 block voting analysis to indicate -- to find areas where
13 white people wouldn't vote for black people, did you do
14 that?

15 SENATOR CAMPSSEN: No.

16 SENATOR HARPOOTLIAN: So I guess what I'm saying
17 is the guidelines never mention the work "benchmark,"
18 never say we're going to start with the existing plan --

19 SENATOR CAMPSSEN: No.

20 SENATOR HARPOOTLIAN: -- right?

21 It never says that.

22 SENATOR CAMPSSEN: But it does -- but they do say
23 maintain the core elements of existing Districts.

24 SENATOR HARPOOTLIAN: The core.

25 SENATOR CAMPSSEN: And constituent consistency,

1 and so they are guidelines that move you in the direction.

2 SENATOR HARPOOTLIAN: Of the core.

3 SENATOR CAMPSSEN: But it also says less change
4 than more change. Minor change, not radical change.

5 SENATOR HARPOOTLIAN: Well...

6 SENATOR CAMPSSEN: I didn't call you a radical
7 now, Senator. I'm talking about change.

8 SENATOR HARPOOTLIAN: I've been called worse.

9 So -- but my point is this: You've got to admit,
10 when you look at what your plan does to Charleston County,
11 it's weird. I mean, it's -- well, the hook, it looks
12 like... well, actually, I'm not going to go there.

13 But it looks weird. You would agree that the
14 only reason you all did that was to pick up population and
15 goes -- it hooks around. I mean wouldn't you want
16 Charleston County to be whole, if you had that choice?

17 SENATOR CAMPSSEN: No, actually, Senator, no.

18 SENATOR HARPOOTLIAN: You don't want -- wait a
19 minute, wait a minute. You folks in Charleston watching
20 this, your Senator just said he does not want you all to
21 be in the same Congressional District.

22 SENATOR CAMPSSEN: Senator, because I believe that
23 having -- I'd rather be two Congressmen advocating for my
24 county than one and so I don't think it's a -- it's
25 terrible that that happened.

1 I think that Jim Clyburn representing Charleston
2 has been good for Charleston. I think that a Republican
3 member of Congress representing Charleston County has been
4 good for Charleston. Because when it comes to doing
5 something for Charleston County, it's kind of like what
6 most of our legislative delegations are like.

7 It's about pocketbook issues.

8 Example. Are we going to get funding to deepen
9 Charleston Harbor? Under the Biden administration, if we
10 needed something like that under the Biden administration,
11 I'd much rather have Congressman Clyburn being our
12 spokesman, trying to get that.

13 Under the Trump or the Bush administration, you
14 know, it would have been -- a Republican congressman would
15 have been better, probably, getting some of that. And so
16 it's pocketbook, kitchen table issues, you'd rather have
17 two people advocating for me any day than one.

18 SENATOR HARPOOTLIAN: Why not four?

19 SENATOR CAMPSEN: Well, because you can't do that
20 and stay within -- you can't do that -- we don't have any
21 counties -- for four, you'd have to have a 3 million
22 person county. You'd have to have like New York counties,
23 New York City.

24 SENATOR HARPOOTLIAN: What piece of Charleston
25 County do Mendel's River have?

1 SENATOR CAMPSSEN: What?

2 SENATOR HARPOOTLIAN: What piece of Charleston
3 County did Mendel's River have?

4 SENATOR CAMPSSEN: I think my Congressional
5 District historian desk mate might be able to come up with
6 it but I'm not sure.

7 SENATOR HARPOOTLIAN: All of it. All of it.
8 And it worked out okay.

9 SENATOR: And he had all of Berkeley too.

10 SENATOR CAMPSSEN: And he had all of Berkeley.

11 SENATOR HARPOOTLIAN: That's all the questions I
12 have.

13 SENATOR CAMPSSEN: Yeah, Senator, it's just -- it
14 works -- here in these chambers, it's better to have more
15 members of a delegation because we can fight about
16 philosophical issues here at the Statehouse, in Congress
17 they can fight about the philosophical issues in D.C., but
18 when it comes to a South Carolina Congressional
19 delegation, much like a county legislative delegation in
20 the general assembly, the focus is not upon what you're
21 going to fight about.

22 We'll go fight about issues in this chamber but
23 when we're working for our constituents back home, we're
24 trying to just bring home the bacon, you know. We're
25 trying to do -- get things from D.C. transportation

1 dollars, relief from hurricanes, money to help build the
2 seawall at the battery to keep Charleston from flooding,
3 yadi, yadi, yada, those type of things, and it's much
4 better to have two members than one.

5 SENATOR HARPOOTLIAN: Well, and there's a
6 tradeoff here and what you've done here -- and I'm going
7 to talk about it in just a minute -- is that most of the
8 people that you have put into -- and I understand they
9 were already there -- most of the people you put into the
10 1st were white and most of the people you put into the 6th
11 from Charleston County were black, and disproportionately
12 so.

13 In a moment I'm going to talk about why this is
14 not a political gerrymander, this is a racial gerrymander.

15 And --

16 SENATOR CAMPSSEN: All I'm saying -- I didn't even
17 look at race numbers.

18 SENATOR HARPOOTLIAN: Why are there BVAP charts
19 everywhere?

20 SENATOR CAMPSSEN: Because that issue's been
21 raised, and of course the staff was ready to tell me, or
22 you're doing something wrong when it comes to a
23 retrogression that will get you in trouble, but I think
24 everyone that I've worked with --

25 SENATOR HARPOOTLIAN: It's just coincidence,

1 then?

2 SENATOR CAMPSSEN: I've never asked what should
3 the BVAP of this precinct or that.

4 SENATOR HARPOOTLIAN: Stuff happens, that's just
5 the way. And we're going to look at some numbers I think
6 that are shocking about how race was used in composing
7 this plan and why that's bad -- wait a minute -- why
8 that's bad for this state. It may be good for the folks
9 up in D.C. fighting each other but it's bad for our state
10 when we divide our voters based on race.

11 SENATOR CAMPSSEN: Senator, I never even asked,
12 you know -- I mean never even -- what's the BVAP of this,
13 what's the BVAP of that? I didn't ask that. We needed to
14 make sure that we weren't running afoul of any of the
15 Federal laws and case law and statutes.

16 SENATOR HARPOOTLIAN: And I believe you have but
17 that's for another day and another forum.

18 SENATOR CAMPSSEN: Okay.

19 SENATOR HARPOOTLIAN: Thank you.

20 PRESIDENT ALEXANDER: Senator from Orangeburg,
21 what purpose do you rise?

22 SENATOR HUTTO: If you'd yield for a quick
23 question?

24 SENATOR CAMPSSEN: Yes.

25 PRESIDENT ALEXANDER: Senator yields.

1 SENATOR HUTTO: Did I just hear you say that you
2 got advice from staff that we were running afoul of
3 retrogression?

4 SENATOR CAMPSEN: No. You need to let me know if
5 we're running afoul of anything here.

6 That's what I'm saying.

7 SENATOR HUTTO: Are there any retrogression
8 standards, now that the rules have changed, that we had to
9 take into account?

10 SENATOR CAMPSEN: No.

11 SENATOR HUTTO: So that really wasn't an issue
12 this time. It was really more communities of interest and
13 the other standards that we adopted, than whether we
14 retrogressed or not; is that correct?

15 SENATOR CAMPSEN: Yes.

16 SENATOR HUTTO: Okay, thank you. That was
17 Section 2. I move for adoption.

18 PRESIDENT ALEXANDER: The pending question is the
19 adoption of Amendment No. 1. Rollcall.

20 Rollcall is required is required, yes.

21 SENATOR MALLOY: Can I be heard?

22 PRESIDENT ALEXANDER: The Senator from Darlington
23 is recognized.

24 SENATOR MALLOY: Thank you, Mr. President,
25 members of the Senate.

1 So just to put us into the posture as to where I
2 would think that we are is that we're on a bill that was
3 returned from the House that is the redistricting bill
4 that's going to end up working on the Congressional
5 Districts; is that right? Nodded your head yes.

6 So I go back and I look over the period of time
7 and what's happening in CHAT and I mentioned to someone
8 that I've been through five of these and I just want to
9 make sure we get this record straight. Two of those was
10 as a lawyer, three of those is since I've been here.

11 Senator from Orangeburg, you've been through I
12 don't know how many. Senator from Lexington, I don't know
13 how many you've been through since you've been here -- a
14 bunch. And Mr. President, you've been through a bunch in
15 your time in service here in the House and in the Senate.

16 I think in 2011 the Senator from Berkeley -- I
17 was minding your show one day. It didn't last but on
18 second reading, we had an amendment that came up and
19 no one expected it to pass and it did pass, much to the
20 surprise of many folks here in the body.

21 And then we had another day to come back and we
22 voted on third reading and we passed the bill then.

23 Candidly, at that point in time I would tell you
24 that if I did not want to end up honoring what we had
25 agreed upon here, we'd have probably had that bill drug

1 out to the courts because the Senate would not have gotten
2 together on it and it would have, Senator from Berkeley,
3 failed on third reading, had the minority side decided to
4 end up voting against it. But we didn't. And so hence we
5 go to conference and we come in with a plan that became
6 the plan. It was what the body had agreed to.

7 I'm not casting anything to anyone but I'll just
8 say that this process here is very difficult for a person
9 that watches this redistricting go forward.

10 We are looking at a redistricting plan here for
11 the 5.2 million people in South Carolina and we get one
12 bite at this apple. We don't get second reading and third
13 reading. We don't bill return from the House.

14 That bothers me. We've got a looming deadline
15 that was placed on us by the courts and that's not today,
16 it was two days ago. They say, does a deadline matter?

17 Well, it's in writing so it may not because they
18 got other things to go on and we will get in timing.

19 Now it's not clear to me as I watch this process
20 and the discussion is largely amongst the subcommittee
21 members, the folks that served on finance, hey, it's
22 online, the information's online. You want a map, you go
23 look at it online. We started today at 10:00 o'clock.
24 We're past 1:30 now. We had about an hour and change of
25 discussion, and the information's online.

1 I queried yesterday, I believe it was, after we
2 had a little bit of storm and said what happened in
3 subcommittee? Was this information exchanged in
4 subcommittee? Why am I listening to this conversation
5 today about who got the documents and where the documents
6 are? They're online.

7 We're going to vote through the subcommittee. We
8 voted and some would say we didn't vote and some would say
9 we advanced it because it would have been at 3-3, so we
10 had two plans. We advanced it.

11 You advanced it, does that mean vote? Did the
12 Democrats vote for it then? Some would say yes, some
13 would say no. And the answer is I don't know.

14 I know what was said and so the bill came out of
15 subcommittee and advanced to the full committee, two
16 different bills. And so now we come to the full committee
17 yesterday, what are we going to do?

18 We're going to pull this bill out? Maybe we
19 should carry 'em over, give everybody a chance to end up
20 starting afresh over on the floor.

21 Well, if you want a bill and it comes out of
22 committee and it gets on the floor and it gets in the
23 masthead status, then we get a chance to end up voting on
24 it, to get second reading, go home, look at it, read, get
25 third reading and then vote on it.

1 We get 24 votes on second reading for cloture, 26
2 votes on third reading for cloture, but on this one,
3 here's what happens, Senator from Orangeburg: When the
4 last amendment is on the desk you ain't -- you not going
5 to vote. You're not even going to vote.

6 You're not even going to vote, y'all.

7 I love all y'all here, but I didn't sign up for
8 this. I didn't. And I know my chairman, my classmate
9 from college and classmate from law school, he's got some
10 constraints on him too. He's got to get a bill through,
11 right? And so I get that.

12 And, you know, I would have to just say to the
13 staff, I didn't get a chance to work so much on this one,
14 I worked on the other bills. You could not find folks
15 that worked as hard as that team that they have over there
16 with Will and Andy and Charlie and those guys.

17 I mean, I wore 'em out.

18 And I think that what happens now is that we're
19 coming here, folks, we're getting down to the end, I'm not
20 going to be in your way but I just got to be clear as to
21 what -- as to what happens. I don't like not being able
22 to vote on second reading. I don't like not being able to
23 vote on third reading.

24 We demonstrated that yesterday. I had to pause
25 on second reading, Senator from Orangeburg, on the CON.

1 You get a chance to look at it again on third
2 reading? We're going to do that.

3 What if I pass something today and overnight,
4 whenever I sit down and look at it, I say you know what, I
5 saw something. I think I want to readdress that. I won't
6 get a chance to. I saw something in the CON bill I want
7 to change. It's not going to be a secret either.

8 There's a couple of those amendments that make
9 absolutely no sense.

10 So today I look forward to getting the other
11 amendments up. This is the first amendment. In my view,
12 this is going to be the amendment that becomes the bill.

13 We can count the votes.

14 The problem is, the issue is if the documentation
15 that supports it, then we got to have it. The problem we
16 have is that if we get an amendment and we put it up
17 there, guess what it has to do? It has to comply with the
18 deviation requirements. You can't just end up just doing
19 it, you know, on a quick -- in a quick way. You've got to
20 do it within a deviation of one person and it's not easy.

21 And to folks outside the chamber, they don't
22 necessarily end up -- they can submit the plan but if we
23 follow what they are doing, it may not comply with what we
24 believe to be the standards.

25 So I say as we go along is that I just wanted to

1 say that little piece, because as we stand before us, you
2 know, we're moving here now to vote on the very first
3 amendment. If there is other information that we need,
4 this is our only chance. We're not going to be able to
5 correct it as it goes forward.

6 If the goal is to try to get the courts to end up
7 doing this, they can do it better than us, you know, I'm
8 not certain of how it happens if we are creating a record
9 of exactly what we're doing.

10 But I do know that the bill returned from the
11 House as soon as the last amendment is voted on, done.

12 And I don't think that's the way we do a
13 redistricting bill.

14 PRESIDENT ALEXANDER: Pending question, Senator
15 from Charleston?

16 SENATOR KIMPSON: I'd like to be heard on the
17 amendment.

18 PRESIDENT ALEXANDER: Senator from Charleston is
19 recognized, Senator Kimpson.

20 SENATOR KIMPSON: Thank you, Mr. President,
21 members.

22 I've been up in the balcony since Wednesday and
23 I've had a chance to observe -- you can see a lot more
24 effectively your colleagues, sitting up there, than you
25 can down here; watch who's talking to who, who's here,

1 who's not here, but you learn a lot about in the balcony,
2 and you can actually hear more, Mr. President.

3 So I don't want to take a lot of time this
4 morning but there's been a lot of talk... there's been a
5 lot of talk about the people of Charleston and what the
6 people of Charleston want. Well, guess what? You've
7 heard me say this before and I think this is a fact: I
8 represent more people in Charleston County than any other
9 Senator in here. I even think under the Senate plan I'll
10 represent more people. It might be the new District in
11 Senate District 20.

12 So I was not on the subcommittee. I couldn't
13 attend many of the hearings because I got a very active
14 and robust law practice, but what I have done is I've
15 engaged with the people I represent, the majority of the
16 citizens of Charleston County, and unequivocally, the
17 majority want to be left whole. They don't want to be in
18 a hodgepodge of 17 other counties. That's not what the
19 people that I talk to, the majority, want.

20 We had a hodgepodge under this map, split all
21 different kinds of ways. I've heard salamandering, I've
22 heard bootstrapping. I've heard it called an amphibious
23 drawing. They want to be left -- why? Why?

24 As much as I like Richland County -- I'm a
25 product of Richland County, born in Richland Memorial

1 Hospital downtown. I live -- my parents live 2233 -- I'm
2 not going to say the street, but downtown near Eau Claire
3 High School. I love Richland County.

4 But we ain't got no interest. We ain't got no
5 interest. But King Street and north Charleston, with the
6 Hugh Leatherman Terminal, many of the people in Richland
7 ain't even been to the Hugh Leatherman Terminal.

8 That is a whole juggernaut, in and of itself.

9 So Jim Clyburn is my congressman. He has
10 represented that area well. But what I hear today is he
11 and Congressman Mace, they in lockstep, representing the
12 Lowcountry. Well, if I remember, I don't believe
13 Congressman Mace voted for the American Rescue Act.

14 I mean, I'm going to ask staff to check that.

15 I could be wrong. \$13 billion for the state of
16 South Carolina that this governor spent last night taking
17 credit for it? He spent it all in one speech.

18 We got no Republican votes for the American
19 Rescue Act, so how all of a sudden, Senator from
20 Charleston, is that two Congressmen supporting the
21 Lowcountry? It's not.

22 Then we move to infrastructure. Millions of
23 dollars only -- last time I checked the roll, there was no
24 Republican congressman that supported infrastructure.

25 What's all this two Congress people working

1 together? Because the record does not bear that. And so
2 there is no this argument that we want two.

3 What about the insurrection? We got a mob the
4 descending on the United States capital, committee
5 terrorist acts on television where we got -- where we got
6 people who died, law enforcement, over throwing our
7 democracy from what I've called there's only one
8 congressman in the Lowcountry that was consistently
9 against that.

10 So your argument would have merit with me at
11 least if we had two Congressmen working for similar
12 interests, the interests of South Carolina, but that's not
13 what we have.

14 And so why is all that important? And I'm
15 winding up and I'm going to take my seat, but the
16 alternative is to listen to the Senator from Richland,
17 Dick Harpootlian.

18 Why is all this important? We need competitive
19 seats in the state of South Carolina. This plan that
20 we're currently going to vote on -- and for the people
21 watching on TV, the vote that you're going to see in a
22 minute is going to be the same vote for the members of the
23 judiciary that you see here in a minute.

24 In my view, the plan will pass. This is a plan
25 designed by the National Republican Party from Washington,

1 D.C. Now, we can talk. We had meetings. Well, staff.

2 We hired a lawyer. It may not be verbatim.

3 I'm going to encourage all of the people out
4 there to read the definition of gerrymandering. I won't
5 read it to you. You guys are scholars. Fortunately for
6 the Senator from Colleton, she encouraged judiciary
7 chairman to walk through the factors.

8 Factors are important but if you look at the
9 definition of gerrymandering, this plan is Exhibit A for
10 gerrymander. Exhibit A. And I'm glad it's on the map.
11 We don't use this. We don't use this thing often.

12 But I'm glad we got it and we spent the money for
13 it but why is this whole argument important? Because in
14 South Carolina, like most of the rest of the country, we
15 need a competitive map. We need robust ideas in
16 Congressional District.

17 We're not a monolithic state but if you pack
18 everybody who looks like each other and who thinks like
19 each other in the same Congressional District, guess what?
20 The Congressperson does not have to listen to the voices
21 of the few.

22 And that's what we got in Congress and that's
23 what we got at the Statehouse, Exhibit B. We got the
24 South Carolina General Assembly, the Senate. The
25 Republicans sit on that side. They're the majority. The

1 Democrats sit on this side. They're the minority.

2 And if you look at every major vote that we take
3 in this General Assembly, it's along partisan lines. You
4 can have the most merit based idea as a Democrat but if
5 you offer that plan as a Democrat, you're going to get
6 shot down.

7 Now that used to be different in the Senate, and
8 there are a couple of exceptions. Yesterday I joined the
9 CON argument. I voted for the CON. Somebody mentioned --
10 the Senator from Spartanburg isn't here, but he -- I
11 believe I heard him say from up there, he was a
12 businessman and a politician but didn't believe he could
13 also be a lawyer.

14 Well, I am a former banker, businessman. I am --
15 I hold a jurist doctor degree, a lawyer, and I represent
16 Senate District 42, a politician. My Senate District, in
17 my view, is the epicenter of commerce for the entire
18 state.

19 I run from Calhoun Street -- y'all been to Halls.

20 Well, that it starts at Calhoun, goes down to
21 Boeing and then over to West Ashley.

22 And so why is that important? Because I joined
23 the CON debate because I used to lend money. I lent money
24 to dialysis centers and health care facilities and you
25 know what, we look at the financial statements.

1 And in the note to financial statements you can
2 look at a balance sheet, that's just a snapshot in time.

3 What you do if you're studying a company's cash
4 flow and operations, you look at the notes to the
5 financial statements and what we had there was a note that
6 said some of these cash flow statements are assumption
7 based on the premises that we going to get a CON approved,
8 so if we add this dialysis center, our cash flows will be
9 consistent with the projections.

10 The only reason that's relevant, I'm trying to
11 explain my CON vote -- I've gotten some calls -- I've
12 gotten some calls, but that was bipartisan legislation.

13 The other example -- and I'll be brief because
14 Lucas, our chairman, is getting anxious -- is a bipartisan
15 bill that we passed, just got the numbers from Mike
16 Shealy, I am the primary author. I hate to recognize
17 myself but sometimes you have to recognize yourself.

18 Back in 2014 I introduced the internet sales tax
19 bill. That was bipartisan legislation that passed two or
20 three years after I introduced it.

21 I was joined by Republicans.

22 And I just got a spreadsheet. That bill has
23 generated over \$900 million for the state of South
24 Carolina. So sometimes we do things in a bipartisan
25 manner.

1 But what is happening with packed Districts that
2 are gerrymandered -- and I'm talking to the Fourth Circuit
3 now because that's where we going, and that's my final
4 point. We got a gerrymandered District by the people in
5 Washington, D.C., the Republican National Convention, and
6 under this map we got a plus 17 Republican. That ain't no
7 competitive District. We weakening the people and the
8 voices of South Carolina.

9 And so as I take my seat -- and I might be off
10 one or two percentage points -- but as I take my seat, we
11 headed to Richland. We headed to the Fourth Circuit, and
12 so every argument that has been made on here will be in
13 the record.

14 I'm going to commend you and I'm going to ask the
15 general counsel, Mr. Moffitt, to pass around when we get
16 ready -- I'll move for unanimous consent -- the Ohio
17 Supreme Court opinion. Mr. Moffitt, Mr. President.

18 PRESIDENT ALEXANDER: Senator from Charleston.

19 SENATOR KIMPSON: Unanimous consent to distribute
20 the Ohio Supreme Court opinion at the earliest available
21 time it's ready to be distributed to this body.

22 PRESIDENT ALEXANDER: Distributing material to
23 the body. Any objection? Hearing none, so ordered.

24 SENATOR KIMPSON: And I offer that to you as I
25 take my seat. I'm going back up to the balcony but I

1 offer that to you as Exhibit C as to where we going, and
2 that was a Ohio Supreme Court State Court case but it
3 struck down, struck down gerrymandered districts, which I
4 submit is what we going to arguably pass today.

5 Now I do want to take a moment to thank the
6 staff, because the staff does what the people who they
7 serve tell them to do. So it's not the staff. The staff
8 is working hard. But we're in a body of the majority and
9 we've been so for about two decades. We got good lawyers
10 too. Mr. Terreni, you're a good lawyer and I'm not
11 casting any doubt on you. You just do the -- you know,
12 you serve the will of the legislature.

13 But we going to Richland, got able lawyers who
14 will litigate this case, much like all the other cases
15 we've litigated that are patently unconstitutional.
16 Legislation we pass here, we'll see what the court says.
17 We'll live another day. Thank you, Mr. President.

18 PRESIDENT ALEXANDER: Thank you, Senator.

19 The pending question is the amendment. The
20 Senator from Horry, what purpose do you rise?

21 SENATOR RANKIN: I just wanted to make the motion
22 for the pending question and invoke the name for Senator
23 Kimpson of A. Louis Patterson, who you do a fine
24 impression of. In the spirit of A. Louis Patterson and
25 Senator Kimpson, I move adoption of the amendment.

1 PRESIDENT ALEXANDER: Rollcall is required.

2 Senator from Edgefield, what purpose do you rise?

3 SENATOR MASSEY: I ask unanimous consent for
4 leave from Senator Cherokee.

5 PRESIDENT ALEXANDER: Without objection.

6 The clerk will call the roll.

7 THE CLERK: Mr. Adams?

8 SENATOR ADAMS: Aye.

9 THE CLERK: Aye. Mr. Alexander?

10 PRESIDENT ALEXANDER: Aye.

11 THE CLERK: Aye. Mr. Allen?

12 Mr. Allen not voting. Mr. Bennett?

13 SENATOR BENNETT: Aye.

14 THE CLERK: Aye. Mr. Campsen?

15 SENATOR CAMPSEN: Aye.

16 THE CLERK: Aye. Mr. Cash?

17 SENATOR CASH: Aye.

18 THE CLERK: Aye. Mr. Climer?

19 SENATOR CLIMER: Aye.

20 THE CLERK: Aye. Mr. Corbin?

21 Mr. Corbin not voting. Mr. Cromer?

22 SENATOR CROMER: Aye.

23 THE CLERK: Aye. Mr. Davis?

24 SENATOR DAVIS: Aye.

25 THE CLERK: Aye. Mr. Fanning?

1 SENATOR FANNING: No.

2 THE CLERK: No. Mr. Gambrell?

3 SENATOR GAMBRELL: Aye.

4 THE CLERK: Aye. Mr. Garrett?

5 SENATOR GARRETT: Aye.

6 THE CLERK: Aye. Mr. Goldfinch?

7 SENATOR GOLDFINCH: Aye.

8 THE CLERK: Aye. Mr. Grooms?

9 SENATOR GROOMS: Aye.

10 THE CLERK: Aye. Mrs. Gustafson?

11 SENATOR GUSTAFSON: Aye.

12 THE CLERK: Aye. Mr. Harpootlian?

13 SENATOR HARPOOTLIAN: No.

14 THE CLERK: No. Mr. Hembree has leave.

15 Mr. Hutto?

16 SENATOR HUTTO: No.

17 THE CLERK: No. Mr. Jackson? Not voting.

18 Mr. Kevin Johnson?

19 SENATOR K. JOHNSON: No.

20 THE CLERK: No. Mr. Michael Johnson?

21 SENATOR M. JOHNSON: Aye.

22 THE CLERK: Aye. Mr. Kimbrell?

23 SENATOR KIMBRELL: Aye.

24 THE CLERK: Aye. Mr. Kimpson?

25 Mr. Kimpson votes no. Mr. Loftis?

1 SENATOR LOFTIS: Aye.

2 THE CLERK: Aye. Mr. Malloy? Mr. Malloy not
3 voting. Mr. Martin?

4 SENATOR MARTIN: Aye.

5 THE CLERK: Aye. Mr. Massey?

6 SENATOR MASSEY: Aye.

7 THE CLERK: Aye. Mrs. Matthews?

8 SENATOR BRIGHT MATTHEWS: No.

9 THE CLERK: No. Mr. McElveen?

10 SENATOR MCELVEEN: No.

11 THE CLERK: No. Mrs. McLeod?

12 SENATOR MCLEOD: No.

13 THE CLERK: No. Mr. Peeler has leave.
14 Mr. Rankin?

15 SENATOR RANKIN: Aye.

16 THE CLERK: Aye. Mr. Rice?

17 SENATOR RICE: Aye.

18 THE CLERK: Aye. Mr. Sabb?

19 SENATOR SABB: No.

20 THE CLERK: No. Mr. Scott?

21 SENATOR SCOTT: No.

22 THE CLERK: No. Mrs. Senn? Not voting.
23 Mr. Setzler?

24 SENATOR SETZLER: No.

25 THE CLERK: No. Mrs. Shealy?

1 SENATOR SHEALY: Aye.

2 THE CLERK: Aye. Mr. Stephens?

3 SENATOR STEPHENS: No.

4 THE CLERK: No. Mr. Talley?

5 SENATOR TALLEY: Aye.

6 THE CLERK: Aye. Mr. Turner?

7 SENATOR TURNER: Aye.

8 THE CLERK: Aye. Mr. Verdin?

9 SENATOR VERDIN: Aye.

10 THE CLERK: Aye. Mr. Williams?

11 SENATOR WILLIAMS: No.

12 THE CLERK: No. Mr. Young?

13 SENATOR YOUNG: Aye.

14 THE CLERK: Aye.

15 PRESIDENT ALEXANDER: Have all senators voted?

16 Senator from Richland, Senator Harpootlian?

17 SENATOR HARPOOTLIAN: Ask consent for Senator

18 Jackson to have leave.

19 PRESIDENT ALEXANDER: Without objection, the

20 Senator from Richland, Senator Allen votes no.

21 Senator Corbin votes aye. Yes, Senator Malloy?

22 SENATOR MALLOY: No.

23 PRESIDENT ALEXANDER: Votes no.

24 Other members needing to vote? Senator from

25 Lexington, Senator Shealy? Without objection, Senator

1 Senn has leave. Other votes? Other votes. Hearing none,
2 the polls are closed and the clerk will tabulate. By a
3 vote of 26-15, the amendment is adopted.

4 The clerk will publish the next amendment.

5 THE CLERK: Next amendment is Amendment No. 2 by
6 Senator Harpootlian. It amends the bill by striking out
7 the enacting words.

8 PRESIDENT ALEXANDER: Senator from Richland, what
9 purpose -- or Senator Harpootlian, what purpose?

10 SENATOR HARPOOTLIAN: I'd like to speak to the
11 amendment, please.

12 PRESIDENT ALEXANDER: You're recognized to speak
13 to your amendment. Senator from Richland.

14 SENATOR HARPOOTLIAN: Ladies and gentlemen, I
15 intended on giving this speech six hours ago. I have
16 pared it back somewhat but not enough, I'm sure, to meet
17 your approval, and the reason for that is this: When I
18 decided to run for the Senate in 2018 as somebody as a
19 lawyer who had been involved in reapportionment cases, I
20 believed and still believe that the apportionment of our
21 legislative bodies in Congress is one of the root causes
22 of many of our difficulties.

23 And I want to walk you through a little bit of my
24 personal history that gives rise to my belief that it's
25 all about race. This is all about race. And I would say

1 we don't talk about that because that's the elephant in
2 the room but unfortunately, it's the elephant and the
3 donkey in the room. We all share the blame.

4 I grew up in Charlotte, North Carolina, suburban
5 neighborhood and graduated from high school 1966. I never
6 attended a single class in elementary, middle or high
7 school with an African-American. Ever. Because I went to
8 a segregated public school. I went through the entire
9 public school system. The only black folks I ever saw in
10 my school were the janitors and the folks that were
11 serving us lunch, and we didn't converse with them.

12 I grew up in an environment where we had white
13 only bathrooms, where black folks were not allowed in the
14 same facilities we were in, and I must tell you, I didn't
15 notice it because I grew up in a white privileged suburban
16 area and we were more concerned with music, the Beach
17 Boys, the Beatles, we were concerned about who had the
18 newest GTO or 442. Who was dating the prettiest girl.

19 Social issues did not permeate our brains and
20 certainly not integration. And it was on the news. You
21 know, we had three networks back then: NBC, ABC, CBS.
22 You either watched Huntley?Brinkley or you watched Walter
23 Cronkite, in my household. I didn't watch either one
24 because I did not care about current events. I did not
25 care about racial justice. I did not care about the war.

1 I did not care about any of the things that had
2 begun to seep up and I did not attend an integrated school
3 until 1966. The fall of 1966 I entered Clemson University
4 which had integrated about 30 months before with a guy
5 named Harvey Gantt. Still less than 20 African-Americans
6 out of 5,000 kids.

7 Very, very, very, very -- I mean that was
8 integrated but not significantly. Not an African-American
9 on the football team, basketball team, baseball team, no
10 African-American athletes, period.

11 So as I matured at college, I began to see that
12 black folks had not enjoyed the same opportunities I had.

13 And I guess that came home to me in February 1968
14 when on my student newspaper I got to interview three
15 young black kids heading home from SE State where they had
16 witnessed three of their fellow students murdered, killed,
17 ten others wounded because they were demonstrating. To do
18 what? They were demonstrating because they were not
19 allowed to bowl in the all white bowling alley in downtown
20 Orangeburg, and they died for it. Killed. Shot.

21 I just couldn't comprehend that.

22 Two months later, along with several other kids,
23 we went down to Atlanta to Martin Luther Kings's funeral
24 and again, didn't quite understand what I was seeing but
25 what I did see, what I did see, was -- and talked to a

1 number of kids my age, African-American kids who explained
2 to me their frustration, their anger at being treated the
3 way they were treated on a daily basis.

4 I got to tell you, I would have reacted more
5 violently than they did to the way they were treated. I
6 went in a bar with a kid I befriended at Clemson, just
7 outside of Clemson and we sat down and ordered a beer.
8 The bartender came and said, you can stay but the N, he's
9 got to leave. I mean, the hurt in that kid's eyes, the
10 degradation he went through. I never understood it.

11 Never had seen it.

12 And as I grew older, I became more accustomed to
13 their life experience as opposed to my life experience and
14 their life experience was every day somebody was treating
15 them differently because of the color of their skin.

16 Every friggin' day.

17 So let me fast forward a little bit.

18 In 1986, I ran for County Council in Richland
19 County, which at the time was at large the entire county.

20 I ran after I got through the primaries a guy
21 named Willie Rogers who was a deputy superintendent of
22 school District 2, had a Master's in education, his
23 daughter later on became a family court judge, but Willie
24 and I campaigned together for the general election and I
25 took him to white neighborhoods and he took me to black

1 churches and African-American neighborhood gatherings.

2 There were six seats open.

3 On election night, 1986, I led the ticket, county
4 council. There were six seats, he ran 7th. White people
5 did not vote for him at all. At all.

6 When I asked about racial block voting earlier,
7 this was the most distinct demonstration I had ever seen
8 of racial block voting because white people would not vote
9 for black people, period.

10 Most places in the state in Richland County they
11 wouldn't, which was -- we had the university, probably one
12 of the more moderate or liberal places.

13 In 1988, we went to single member Districts after
14 a court suit, Justice Department intervened and we elected
15 our first African-American county councilman. John Scott
16 was in that class. He and I served together on County
17 Council for two -- I served for two years, he served
18 longer than that.

19 But we had a perspective on County Council those
20 second two years we didn't have before. Nobody cared
21 about what was going on down in lower Richland. Nobody
22 cared about what was going on in the upper part of the
23 county, which were predominantly African-American
24 neighborhoods, because we didn't live there. I lived in
25 Shandon. I was concerned about downtown Columbia.

1 So lawsuits were brought, the Justice Department
2 dictated single member Districts with significant majority
3 African-American populations, because white people would
4 not vote for African-Americans.

5 Now that shaped me to understand that there is a
6 segment of our community that will not acknowledge that we
7 are a multiracial culture and that we need to address
8 that. And let me explain that also about those single
9 member Districts.

10 When they were ordered, everyone thought and
11 understood they were remedial measure -- remedial, not
12 permanent -- remedial. The idea being that once we had
13 integrated our elected bodies, that people then would
14 shift, and they did, but a remedial measure is like a
15 cast, and if you leave the cast on the body too long, it
16 atrophies.

17 And that's what's happened in our state and that,
18 Senator from Charleston, is what's wrong with using a
19 benchmark of what we did and had to do, where we maximized
20 and packed in order to elect an African-American, which is
21 no longer, in my opinion, necessary.

22 And by not doing that racial block analysis we
23 talked about, racial block voting analysis we talked about
24 earlier, you don't know and I don't know what you could
25 have done to change that benchmark and start over.

1 There's no reason you could have started over.

2 You have no reason why we couldn't have a more
3 homogeneous competitive District plan.

4 Now I will tell you that this plan sort of
5 appeared -- I don't know how it got done because we went
6 to a subcommittee meeting and one day it just appeared and
7 when I asked staff, they indicated that there had been
8 submissions from, for instance, the Senate redistricting a
9 Republican group called the -- let me make sure I get
10 their name right so I don't screw it up -- the
11 redistricting group out of Washington.

12 I never saw that plan.

13 But the plan that was proposed is very much --
14 it's this plan. We never had any input into. We never
15 discussed it. We were never called back in the map room.
16 We were never asked anything about the contours of it. It
17 just appeared, you know, sort of an immaculate deception,
18 if you will. It was created in a back room, literally in
19 a back room. And as you voted on it today, I don't think
20 that you really had an understanding of what it does.

21 And if you do this for me, please -- I think they
22 can do this -- would you put the plan that was just passed
23 up on the screen, please, and zero in on Charleston
24 County. Can you do that? Oh, I'm sorry. I'm sorry, it
25 was the National Republican Redistricting Trust, are the

1 folks that submitted a plan that we never saw. Yep, okay?

2 So...

3 PRESIDENT ALEXANDER: Senator from Richland,
4 Senator McLeod, for what purpose do you rise?

5 SENATOR MCLEOD: Will the Senator yield --

6 SENATOR HARPOOTLIAN: Yes.

7 SENATOR MCLEOD: -- for a question?

8 PRESIDENT ALEXANDER: For a question.

9 SENATOR MCLEOD: Thank you, Senator. I
10 appreciate you raising the point or the fact that all of
11 us are aware that race is the elephant in the room, and
12 the reason that I decided to ask you a few questions is
13 because when I was first elected to the South Carolina
14 House, you may recall that we were about to start the
15 redistricting process, and I was eager to learn as much as
16 I could.

17 And it wasn't until my colleagues packed my swing
18 District -- can you hear me?

19 SENATOR HARPOOTLIAN: Not real well, I'm sorry,
20 but that's me, that's not you, I guess.

21 SENATOR MCLEOD: I'll try to talk a little
22 clearer.

23 It wasn't until I realized that my colleagues
24 packed my swing District with black voters and I had to do
25 some research, because I couldn't understand why. That

1 wasn't what I asked them to do or needed them to do. In
2 fact, I had just won pretty handily in a swing District.

3 I think my black voting population at that time
4 was 34 percent and they bumped it to 52 percent, if I'm
5 not mistaken, and I went to my caucus and asked questions
6 about why the Republican party would see fit to increase
7 my black voting population numbers in that way and it led
8 me to do my own research and what I discovered was exactly
9 what you have just talked about, and that is that it was a
10 part of their national strategy in 2011 to blacken swing
11 Districts like mine for the purpose -- the purpose was
12 threefold.

13 The first thing they wanted to do was to further
14 marginalize the voices of the minority.

15 Secondly, they wanted to rid the Democratic party
16 of white Democrats.

17 And 3rd, they wanted to create a permanent
18 Republican majority stronghold.

19 We were -- I'm sorry -- I was at the time the
20 only person who saw fit to fight that and I had to come to
21 you. You had a lawsuit in progress. And I'd like you to
22 maybe share some of your insight, if you can remember what
23 happened then because if we fast forward today, we are
24 seeing that, you know, all of their... all of their goals
25 have come to fruition.

1 SENATOR HARPOOTLIAN: Absolutely.

2 SENATOR MCLEOD: And that what I think part of
3 the point that you're raising right now so I just want to
4 know if you can speak to that.

5 SENATOR HARPOOTLIAN: Well, what I would say is
6 this: That is -- and, you know, one of the architects of
7 this strategy was a friend of mine, somebody that I spent
8 a lot of time with back right in college and law school
9 and we got to be fast friends, a guy named Lee Atwater
10 from Columbia, and he made no bones about it in articles
11 later on. He wanted to use the Justice Department's
12 efforts to create more African-American representation, to
13 pack African-Americans into Districts, bleaching out the
14 adjoining Districts.

15 And to some extent that's what this does. This
16 is deja vu all over again, as Yogi Berra would say.

17 It is -- what I want to say to the folks in this
18 chamber is this: You are better than this. You are
19 playing a game being dictated by some group in D.C., and
20 God knows they're as dysfunctional as it gets.

21 If what we continue to do is predicate
22 reapportionment on race and do things that bleach out
23 Districts, in an effort to help our poor African-American
24 elected officials have a blacker District or frack it,
25 divide the African-Americans up -- and I'm going to talk

1 about some numbers in a minute that indicate to me clearly
2 that's what's happened with this plan, this immaculate
3 deception.

4 And Senator, they did it in 2012. The difference
5 is this talk about benchmark plan, that benchmark plan was
6 a Frankenstein monster and there was no effort to change
7 it in any meaningful way. They're comfortable with it.

8 They're comfortable with it because it divides
9 the state into black and white, and that is reprehensible.

10 That is reprehensible.

11 This is the most racially divisive plan you could
12 design. We have a plan, I've proposed a plan which meets
13 all the guidelines, not just some of them, and while it
14 may divide Berkeley and Dorchester away from Charleston,
15 the League of Women Voters plan in a minute keeps them
16 together but does not do the kind of violence to racial
17 coalitions that Senate -- the plan the Senate just passed.

18 I think it's also important to understand this:
19 We passed a Senate plan. Y'all understand my belief that
20 county lines are inviolate.

21 If you want proof that I was looking for a way to
22 help ensure that we didn't have to rely on purely racial
23 gerrymandering to make this a fair plan, I met with the
24 folks, Mr. Terreni and others, and I said take my
25 District, send it to Charleston. It's more important to

1 me that we do that and create -- Senator McLeod, Senator
2 Jackson, Senator Scott, all their Districts are totally
3 contained within Richland County. They have two senators
4 who have no allegiance to any other county but Richland.

5 That was important to me. And it was important
6 enough to where I said, send my District elsewhere.

7 And by the way, my District was a Frankenstein
8 creation that the previous occupant had created to ensure
9 his reelection. It ain't worth it. It ain't worth it.
10 When he did that, he bleached out his District with
11 17 percent African-American. President Trump carried it
12 in '16. Shockingly, I carried it in '18 and again in '20
13 because what I found was that people in my District, that
14 District, were concerned about transparency. They were
15 concerned about responsible conduct on taxes. I found
16 that there was a coalition of folks, black and white, that
17 were concerned about roads and education and doing
18 something in a very constructive, physically conservative
19 way.

20 We could all be fiscal conservatives. We could
21 all focus on these issues, but for the fact that race
22 continues to divide this state and it's shocking to me
23 that we continue to do this purely for political
24 advantage. And again, there's plenty of blame to go
25 around.

1 The only other thing I'd say before I get into
2 the specific plan is this: I've been here since 2018,
3 four years now. I think, without fear of contradiction,
4 every person I've met here is a person of integrity,
5 honesty and people that want to do the right thing, but we
6 all, every one of us, every one of us, fall victim, prey
7 to this sort of partisan accumulation of power. Not much
8 over here, but it's about getting back here, it's about
9 getting another position, it's about moving forward.

10 And that's fine, as long as you don't use race or
11 religion or national origin to get you there.

12 Whether or not, you know, if we continue to go
13 this route, then the minorities in both parties, the
14 minority position in both parties will dominate primaries
15 and they will dominate your party and my party, whether
16 it's Antifa for the Democrats or the traitorous scoundrels
17 that took over the United States capital and attempted to
18 disrupt democracy -- and by the way, in another lifetime
19 those folks should have been hung. I'd just say that you
20 don't commit that kind of conduct without consequences. I
21 don't believe this 48-month sentence stuff is enough. And
22 that's coming from somebody that has participated in the
23 trial sentencing and execution of people. I believe
24 strongly that this conduct cannot be tolerated but that's
25 for another day.

1 So when you look at...

2 PRESIDENT ALEXANDER: Senator, you need to... we
3 need to get you a copy. Senator from Richland. Senator
4 from Richland. We'll have to get you a copy, please.

5 Please.

6 SENATOR HARPOOTLIAN: I want to demonstrate that
7 this creates this hook into Charleston County which has no
8 necessity. There's no reason to do that. Charleston
9 County could be whole. You could include Berkeley and
10 Dorchester, if you want the League of Women Voters' plan
11 that's amended.

12 But what I will tell you is this: This is the
13 result of trying to perpetuate the 2012 plan, which is no
14 longer required. The federal government's Section 4 and
15 Section 5 of the Voting Rights Act required them to do
16 this and now for and my Republican colleagues I find it, I
17 got to say, somewhat astounding that you would say we've
18 got to abide by the federal guidelines on anything.

19 Thank you.

20 But again, they're no longer there. This is a
21 federal guideline that's no longer in existence. There's
22 no ban against retrogression. There's no ban -- I mean
23 you want to keep core constituencies there, but what's the
24 core constituency of the 6th District and the benchmark
25 plan. Is it Richland County? Is it Orangeburg County?

1 Is it half of Charleston County or a third of Charleston
2 County? Rd what is it? It's -- and it's this idea that
3 somehow this benchmark plan ought to dictate what you pass
4 is just amazing to me.

5 So this plan, the one we just passed, splits ten
6 counties, and eight of those have splits on the border of
7 the 6th; Jasper, Colleton, Dorchester, Charleston,
8 Florence, Orangeburg and Sumter.

9 And one of the guidelines is the integrity of
10 county and municipal lines.

11 So -- and there's no justification for it other
12 than this cockamamie we've got to stick with the benchmark
13 plan, which there's no requirement to do.

14 Our guidelines don't even require that.

15 About 46 percent of Richland County is in the 6th
16 while 54 percent is in the 2nd.

17 Now in Richland County the total of
18 African-American or BVAP of Richland County is 44 percent.

19 What's the BVAP of the part they put in the 6th?

20 60 percent. 60 percent.

21 I would note that if you look at... this is the
22 plan we just passed, 13 precincts, but 11 of those splits
23 on the border of the 6th. Again, not spread out through
24 the state, just on the 6th.

25 So all but two of the plan's municipal splits are

1 on the border of the 6th. So Columbia, for instance. A
2 3rd of Columbia is in the 2nd, two-thirds is in the 6th,
3 but 75 percent of the Columbia's BVAP is in the 6th.

4 Sumter, about a 3rd of Sumter is in the 6th.
5 Two-thirds is in the 5th. But only 18 percent of the city
6 of Sumter's white population is allocated to the 6th.

7 I mean, clearly race, this is about race. The
8 city of Charleston, two-thirds. City of Charleston is in
9 the 6th, one-third in the 5th but 85 percent of the city's
10 BVAP is allocated to the 6th. Other splits on the border
11 of the 6th include north Charleston, Forest Acres,
12 Hardeeville and Scranton.

13 All substantial population splits.

14 So if you look at the number of county splits in
15 our plan as opposed to the others, minimal. Our splits
16 don't represent any racial gerrymandering whatsoever.

17 And in our plan, 91 percent of Greenville stays
18 in the District. In one District, 95.5 percent of Laurens
19 stays in one District. 85.3 percent of Rock Hill stays in
20 one District.

21 So what I'm saying to you is this: Yeah, there
22 are a number of different ways you can draw these lines.
23 There's a number of different ways you can skin this cat,
24 if you will. But what's clear is the plan we just passed
25 was based on race and this history I told you about, the

1 trauma of that.

2 Now there are some African-American leaders and
3 elected officials that believe that they would have
4 difficulty getting significant white votes and so they
5 continue to lobby for huge majority minority Districts.

6 Some of them occur naturally.

7 Resist that and resist this. If you adopt my
8 amendment, not whether Districts are competitive, if you
9 keep counties together and minimize splits of counties and
10 cities and you don't do it on the basis of race, the
11 1st District becomes competitive.

12 Now let me say this to you: If you're saying
13 this was a partisan gerrymander, you can't use party as a
14 proxy for race.

15 And by the way, most of the numbers I see in the
16 data I've received is BVAP. There's no real data other
17 than a Biden-Trump race, no real historical -- and again,
18 no racial block voting analysis.

19 So if you look at the guidelines, my plan, our
20 plan, the Democratic caucus plan, Senator Sabb and
21 Matthews's plan, it complies with the guidelines. There
22 is no benchmark contained in these guidelines. The word
23 is core constituency and they don't mean the same thing.

24 So I guess what's going to happen today is y'all
25 are going to vote against this plan. You're going to

1 continue down the road of racial division and we're going
2 to have to rely on the federal courts once again -- I mean
3 the federal courts that required us to integrate our
4 schools, federal courts that required us to create
5 Districts where black folks could get elected, federal
6 courts now are going to take a different position on that.

7 I mean it's just a shame to me that we will be
8 embarrassed once again and it will be a blemish on this
9 body and again, I have the utmost respect but to ignore
10 the racial basis for every one of these splits I talked
11 about is to be willfully blind. Thank you. No questions?

12 Fine with me.

13 PRESIDENT ALEXANDER: Senator from Colleton, for
14 what purpose do you rise?

15 SENATOR BRIGHT MATTHEWS: Does the Senator yield
16 for a couple of questions?

17 SENATOR HARPOOTLIAN: Yes.

18 SENATOR BRIGHT MATTHEWS: Senator, does the issue
19 of the splitting of precincts play -- either county or
20 municipal precincts splitting of counties or
21 municipalities, did that have any effect or play in any
22 way in your -- the map that you drew versus the one that
23 was presented in Amendment A1?

24 SENATOR HARPOOTLIAN: Yes, ma'am. The plan that
25 was just passed has ten split, county splits. We have

1 six. Most of ours are not -- the bulk of ours are not
2 involving District 1 and District 6. The bulk, as I
3 explained earlier, the bulk of theirs, the vast majority
4 are to deal with 6 and 1.

5 SENATOR BRIGHT MATTHEWS: Senator, what we're
6 looking at on the projection screen today and the only map
7 we've seen on the projection screen is really the one that
8 has already been voted upon.

9 SENATOR HARPOOTLIAN: Right.

10 SENATOR BRIGHT MATTHEWS: Can you please have the
11 staff to put up the -- good. Put up the map that you have
12 and our caucus has requested that we consider that you
13 feel is competitive and if you would, walk those who are
14 still interested in this map -- because I'm not sure this
15 body is interested in this map -- can you show us the
16 difference in the two?

17 And staff -- I'm not sure if they can -- in
18 answering that question, would you please do a -- put both
19 -- you just had it where one map was on one side and one
20 was on the other? Can you do that and do the
21 demonstration for us if you would, Senator?

22 SENATOR HARPOOTLIAN: So I mean it's tough to
23 look at the map and tell you what happened, but I can tell
24 you this --

25 SENATOR BRIGHT MATTHEWS: Well, let me ask you a

1 question, then: Right there, that's map one that was just
2 -- that we just voted upon, Colleton County is -- the tip
3 of Colleton County has been snatched away, hasn't it?

4 SENATOR HARPOOTLIAN: Yes.

5 SENATOR BRIGHT MATTHEWS: And when you go over to
6 map number 2 that keeps moving, Colleton County is in 1,
7 isn't it?

8 SENATOR HARPOOTLIAN: It is.

9 SENATOR BRIGHT MATTHEWS: And Colleton County,
10 for the sake of argument -- that's much better --
11 unanimous consents --

12 SENATOR HARPOOTLIAN: We adopted guidelines --

13 SENATOR BRIGHT MATTHEWS: Right.

14 SENATOR HARPOOTLIAN: -- in which C was
15 minimizing divisions of county boundaries, D was
16 minimizing divisions of cities and towns and E was
17 minimizing divisions of voting precincts, okay?

18 My plan is far superior on those three elements.

19 SENATOR BRIGHT MATTHEWS: Senator, if it's okay
20 with you, I'd like to ask the president unanimous consent
21 to allow you -- because we don't have --

22 PRESIDENT ALEXANDER: State your request.

23 SENATOR BRIGHT MATTHEWS: Because we don't have a
24 screen that faces the Senator as he's at the well, I would
25 ask unanimous consent to allow him to go to a mike so that

1 he can look at this map and explain the differences in the
2 split that we've talked about.

3 If he can talk from his desk, even.

4 PRESIDENT ALEXANDER: That's the unanimous
5 consent request, to go to your desk to be able to speak
6 from his desk. Is there objection to that?

7 Hearing none, so ordered.

8 SENATOR HARPOOTLIAN: Look at the map. You can
9 see again going to their plan, Charleston, you have this
10 weird -- you called it a salamander, I called it a snake.

11 It represents a number of different anatomical
12 and members of the animal kingdom.

13 We don't have that. We have a Charleston County
14 that's whole, that is black folks, white folks, downtown
15 folks, north Charleston folks, one Congressional District.

16 When you look at the 6th District, look, they
17 divide Sumter, Columbia, Forest Acres, Charleston, north
18 Charleston, Hardeeville, Scranton, Simpsonville and
19 Fountain Inn.

20 Now, their divisions of Simpsonville and
21 Fountain Inn, admittedly are minimal, but ours is far, far
22 less than that and again, those divisions are based on
23 race.

24 SENATOR BRIGHT MATTHEWS: Senator, for those
25 people who haven't had their lunch and might be a little

1 hungry and not paying attention, just the District 6 in
2 the first map that has been voted upon is in blue,
3 correct?

4 SENATOR HARPOOTLIAN: Yes.

5 SENATOR BRIGHT MATTHEWS: And the District 6, as
6 proposed in your map that you're talking on, is in a lime
7 type green?

8 SENATOR HARPOOTLIAN: Yes.

9 SENATOR BRIGHT MATTHEWS: And District 1 is in
10 brown in both maps.

11 SENATOR HARPOOTLIAN: Yes.

12 SENATOR BRIGHT MATTHEWS: Yes, now in map number
13 2 to the right of the screen, for all the members of this
14 Senate, does District 1 border... does it go all the way
15 through and keep Jasper County whole?

16 SENATOR HARPOOTLIAN: Yes.

17 SENATOR BRIGHT MATTHEWS: And Beaufort County
18 whole?

19 SENATOR HARPOOTLIAN: Yes.

20 SENATOR BRIGHT MATTHEWS: And Charleston County
21 whole?

22 SENATOR HARPOOTLIAN: Yes.

23 SENATOR BRIGHT MATTHEWS: Why then would you want
24 -- if you have an opportunity to keep Jasper, Colleton,
25 Beaufort and Charleston all whole on the south, if you --

1 why would you then want to, if you want to keep like and
2 you have a guideline where you want to keep continuity --
3 where you say you like contiguity -- I hate that word --
4 if you say you want things to be contiguous and that's
5 part of your guideline, why then, on Amendment 1, would
6 you snake out Jasper County and only put and throw Sun
7 City -- which Sun City, in all of our hearings, said that
8 they have more in common with Beaufort. That was said
9 over and over again. Why would then you throw the folks
10 in Sun City in with 6? Why do that?

11 SENATOR HARPOOTLIAN: Well, I think the
12 motivation for virtually every one of these tweaks, if you
13 will, is race. I think that it maximizes African-American
14 population in the 6th, minimizes it in the 1st, the 5th,
15 and the 2nd. And Richland County is the same thing.

16 Why divide Richland County up?

17 SENATOR BRIGHT MATTHEWS: I don't understand
18 that.

19 SENATOR HARPOOTLIAN: In our plan, Richland
20 County is kept whole, except for three precincts or four
21 precincts in a northernmost area on Lake Murray.

22 Those folks have a different -- believe me, I
23 represent 'em -- they have a different interest totally
24 than the rest of Richland County.

25 SENATOR BRIGHT MATTHEWS: Well, you heard the

1 Senator from Charleston, one of the senators from
2 Charleston say that there was only 80 -- that District 6
3 needed 85,000, whereas District 1 needed to lose 88,000.

4 So why not take that 88,000 from the upper part
5 that's closest to Richland, why snake down into
6 Charleston?

7 SENATOR HARPOOTLIAN: Well, I think two reasons.

8 The first reason is they're pretty happy with the
9 benchmark plan, but they needed to whiten up the 1st a
10 little bit. So I mean that's the -- if you look at where
11 they split precincts, where they split counties, where
12 they split cities, virtually every one of them is on the
13 6th, which means they were looking to put white people one
14 way and black people the other.

15 SENATOR BRIGHT MATTHEWS: Senator, I know you are
16 familiar with this particular District when it was -- it's
17 a recently created District, isn't it? All the data --
18 that area on the coast is recently because we only, just
19 like the Senator from Berkeley talked about earlier, it
20 was only six Districts.

21 SENATOR HARPOOTLIAN: Right now it's seven.

22 SENATOR BRIGHT MATTHEWS: We created the 7th, and
23 the 1st ended up being on the coast.

24 Was it the primary strategy and campaigning
25 strategy and message when the 1st Congressional District

1 was first being populated by candidates, was it the
2 strategy or the campaign message that primary issue on the
3 coastline, wasn't that about dredging?

4 SENATOR HARPOOTLIAN: Yes.

5 SENATOR BRIGHT MATTHEWS: Environmental
6 protection on the coast?

7 SENATOR HARPOOTLIAN: Yes.

8 SENATOR BRIGHT MATTHEWS: The ports?

9 SENATOR HARPOOTLIAN: Yes.

10 SENATOR BRIGHT MATTHEWS: Then why would... why
11 would they then want to stick Congressional District 6
12 down into Charleston to deal with the issues that one has
13 already campaigned on?

14 SENATOR HARPOOTLIAN: Well, Senator, you and I
15 were not involved in the back room in drafting this plan.

16 We were not there. So I don't know what went
17 into it but the circumstantial evidence, as we say in the
18 law business, is everything was driven by bleaching out
19 the 1st and in terms -- when I say maximizing black vote
20 in the 6th, my plan has a slightly higher BVAP, but they
21 took other black votes and split them back up so they had
22 no effect in the other Districts.

23 And look, this is a plan that maximizes the
24 advantage for white South Carolinians. It means that the
25 1st, 7th, 5th, the 4th, the 2nd -- everything but the 6th

1 is going to be dominated by white voters.

2 SENATOR BRIGHT MATTHEWS: Are you trying to say
3 that even though you are a member of the subcommittee,
4 that you were not afforded the opportunity to go back in
5 the back room with the maps to lay out that plan that is
6 listed as number 2 there?

7 SENATOR HARPOOTLIAN: Never saw it until it
8 popped out in our subcommittee meeting, I think you and
9 Senator Sabb and I were all very shocked to see.

10 And then we were told that while they didn't
11 consider it, this national Republican group had submitted
12 a plan.

13 I mean, I don't know how this was conceived, as I
14 say the immaculate deception, but it certainly didn't have
15 input from me or you or Senator Sabb.

16 SENATOR BRIGHT MATTHEWS: Was it the same
17 reception we sort of received when we wanted to -- I
18 didn't direct that we have a Congressional plan,
19 Congressional chart.

20 Was that the same reception we got when we found
21 out that there was comparison chart created in the
22 committee and we had to bring it out -- ask that it be
23 presented to us this morning?

24 SENATOR HARPOOTLIAN: Well, again, I don't think
25 we were afforded that. I understand why y'all weren't

1 included, I'm just a little worried about why I wasn't
2 included.

3 SENATOR BRIGHT MATTHEWS: Why? If I could get
4 you on the record why. Oh, because you're white, okay.

5 Well, my concern is sort of the same as Senator
6 Kimpson's.

7 PRESIDENT ALEXANDER: Senator, has he completed
8 that? Have you completed referring to that?

9 He might come back to...

10 SENATOR BRIGHT MATTHEWS: Yes, thank you,
11 Mr. President.

12 PRESIDENT ALEXANDER: Senator from Richland.

13 SENATOR BRIGHT MATTHEWS: Following what you
14 said, my concern is sort of the same as what you said
15 earlier. You're from Richland County 6th and the concern
16 -- you are concerned about what happens to the 6th
17 Congressional District.

18 I am sitting here counting. I represent six of
19 the counties that either make up the 1st or the 6th and
20 even though I was a sitting, and I believe I was a pretty
21 active member on the committee, accessible at all times,
22 no one, including Senator Kimpson from Charleston, but
23 especially me because six of those counties, I presently
24 represent -- I had to sit through and hear my constituents
25 talk about contiguity. I had to hear them talk, as you

1 did, about communities of interest. I had to hear of them
2 talk about the not putting certain areas in certain areas.

3 They wanted to make sure that we didn't try to
4 pack -- I even heard the word "frack." I didn't even know
5 -- do you see or understand the process, the political
6 process or lack thereof that went on to get Amendment A
7 voted on at no cost? At all costs?

8 SENATOR HARPOOTLIAN: I mean, I wasn't there, I
9 don't know. It popped out. As I said, we were in the
10 subcommittee. We showed up, they handed us a plan.

11 I think you, Senator Sabb and I were astonished
12 to see what obviously required a huge amount of time and
13 effort to put together and it just -- it was a fait
14 accompli.

15 SENATOR BRIGHT MATTHEWS: Do you think it was
16 about as Democratic as the January 6th incident?

17 SENATOR HARPOOTLIAN: I don't believe I need to
18 go there but thank you for offering the opportunity.

19 PRESIDENT ALEXANDER: Senator from Williamsburg,
20 for what purpose do you rise?

21 SENATOR SABB: We've continued to ask the Senator
22 to yield for a question or two.

23 SENATOR HARPOOTLIAN: Absolutely.

24 PRESIDENT ALEXANDER: Senator yields for a
25 question. Senator from Williamsburg.

1 SENATOR SABB: Senator, I wanted to express my
2 appreciation to you and all of the work that you've done
3 on this issue, not only as it relates to this map but the
4 manner in which you've given of yourself for many years to
5 fight these kinds of causes that I consider righteous, and
6 so I just wanted you to know that I appreciate it.

7 SENATOR HARPOOTLIAN: Thank you.

8 SENATOR SABB: Senator, when you began -- and I
9 will mess this up because I won't be as artful as you were
10 when you were explaining the circumstances upon which --
11 and I will borrow a phraseology from my colleague who
12 served on committee with us when he talked about the
13 benchmark -- you were very meticulous, I think, in
14 identifying why we ought not use those benchmarks, and so
15 I want to go back, if you don't mind, and try to
16 reestablish why we ought not use the benchmarks.

17 Now you mentioned a couple of legal principles
18 that were in place at the time those benchmarks were
19 created. Would you indulge me and say again what those
20 principles were then and establish the fact that they are
21 not there now?

22 SENATOR HARPOOTLIAN: Sure. When this plan was
23 -- benchmark plan, as they call it, was approved by the
24 federal court in 2012, we had to operate under Section 5,
25 which required preclearance.

1 The Justice Department has its own list of things
2 that they wanted to make sure were in effect, much more
3 restrictive -- even I argued back then much more
4 restrictive than I felt the court cases required, but they
5 also -- Section 4 was very stringent on any sort of
6 retrogression; that is, the diminution of African-American
7 population in a District.

8 So when Shelby v. Holder came down a few years
9 later, they did away with Section 4 and Section 5. No
10 more Justice Department meddling, no more Washington
11 bureaucrats telling us how to redistrict, as long as you
12 didn't, under Section 2, divide a African-American
13 community that occurs naturally in order to defeat the
14 ability of an African-American candidate to get elected
15 from that community. You couldn't... you couldn't crack
16 it, as they say, divide it up.

17 But in packing, to me, under -- without the
18 Justice Department looking over your shoulder and trying
19 to argue to a court that, you know, that black folks
20 couldn't get white votes -- and by the way, they even had
21 -- they had... they had a racial block voting analysis
22 done before they made that allegation.

23 We don't have that here.

24 And let me mention one other thing that's
25 important to understand about racial block voting.

1 The RFA State agency works with counties, cities
2 and School Districts to do reapportionment for those --
3 and they're all getting ready to go through it.

4 They, as a preliminary matter -- and they're
5 advising every one of those governmental entities -- do a
6 racial block voting analysis before they undertake to
7 advise them on reapportionment. We don't have that here.

8 This is because it's based on the benchmark which
9 isn't required by law, which isn't even our guidelines, we
10 have sort of said, okay, we're going to start off with
11 this plan that was approved by a court under a different
12 set of guidelines and laws, and not even -- we didn't say
13 benchmark in our guidelines, we said core, constituent
14 cores. For the 6th District that might be Orangeburg and
15 Richland, but you have to do a racial block voting
16 analysis if you're going to say, well, you shouldn't put
17 Berkeley County in it because Berkeley County has racially
18 polarized voting. None of that analysis has been done.

19 Now the Senator from Charleston indicated that
20 would be something to be done at a litigation level.

21 Again, we're doing it, the state is doing it for
22 counties and cities and School Districts at the front end,
23 not here.

24 SENATOR SABB: Well, and Senator, do you know
25 that I, as you, listened attentively to hear about the

1 racial block voting analysis that was done and I too
2 thought that the presentation was wanting in that regard,
3 but if we go back, Senator, to the legal principles that
4 you just shared that are no longer present, you would
5 agree with me that our laws have developed as our times
6 have changed; would you agree with me on that?

7 SENATOR HARPOOTLIAN: I would.

8 SENATOR SABB: And that at the time it was
9 important that certain laws, certain rules, certain
10 guidelines put in place to give African-Americans an
11 opportunity to be elected.

12 SENATOR HARPOOTLIAN: Absolutely.

13 SENATOR SABB: And so based on the Shelby
14 decision, the decisionmakers that ruled on that decision
15 essentially said to the rest of us, times have changed.
16 We will no longer put these rules in place to try to have
17 these outcomes be the way that we've designed the laws to
18 have them be -- and I know I messed that all up but I hope
19 you followed me.

20 SENATOR HARPOOTLIAN: Sort of.

21 SENATOR SABB: The point being we are not going
22 to require the Justice Department to oversee what we once
23 required them to oversee.

24 SENATOR HARPOOTLIAN: Correct.

25 SENATOR SABB: And so because the times have

1 changed -- and I believe you said some of this -- we ought
2 not go back to the benchmarks because they represent a
3 different time.

4 SENATOR HARPOOTLIAN: Correct.

5 SENATOR SABB: And that if you gerrymandered in
6 those days trying to get African-Americans elected, that's
7 not where we are right now.

8 SENATOR HARPOOTLIAN: You know what, I think I
9 did mention was this; when Willie Rogers lost that County
10 Council seat and I won --

11 SENATOR SABB: Yes, sir.

12 SENATOR HARPOOTLIAN: -- he cried like a baby.
13 He did not understand why people would not vote for him,
14 but for the color of his skin, and I think that indelibly
15 is etched on my memory and I think it is what we are
16 perpetuating by adopting this plan, that you can't get
17 elected except by people of your own pigmentation.

18 I don't believe that. I endorse and supported
19 Barack Obama in April of '07 because I believed he could
20 overcome that and he did. I think there are plenty of
21 folks of goodwill on both sides of the racial divide that
22 can make this happen, if we let them.

23 And what this plan does is prohibit them from
24 crossing that racial line and voting for somebody that
25 doesn't look like them.

1 SENATOR SABB: Senator, I remember, you know,
2 years ago being moved by a preacher that had this dream
3 where you had hoped that people would be judged based upon
4 the content of their character and not the color of their
5 skin and so Senator, you know I think you're right, I
6 think we're there in a number of instances but as you've
7 indicated, many of us believe that the design of this plan
8 that has been voted upon by this Senate essentially
9 prohibits that, doesn't give it the opportunity.

10 And Senator, do you remember during several of
11 our hearings, when folks came before us and said: We want
12 to be able to elect our representatives and not have our
13 representatives create maps where they elect themselves;
14 do you remember?

15 SENATOR HARPOOTLIAN: I remember.

16 SENATOR SABB: Many of our constituents
17 throughout the state of South Carolina came before us and
18 shared that view; did they not, Senator?

19 SENATOR HARPOOTLIAN: They did, and unfortunately
20 the plan we just passed is one constructed to meet some
21 arcane political goal and not one that promotes racial
22 harmony.

23 Communities of interest? I mean, Richland
24 County, Charleston County, Orangeburg County, in our plan,
25 Sumter County would all be whole. They'd have one

1 congressman. And I don't buy this two is better than one.

2 If you've got one person responsible, you can
3 hold that one person accountable. They can't say, well,
4 he was supposed to do it or she was supposed to do it.

5 And again, to carve the pie up the way they've
6 carved it up and mutilate it to meet some preconceived
7 goal is wrong.

8 SENATOR SABB: Let me go back to the notion of
9 some of the testimony that we received, and I think the
10 other Senator from Charleston, Senator Kimpson, spoke on
11 the notion of Charleston and the desire of Charlestonians
12 to be -- to be whole, and of course this is not a part of
13 the Senate plan, but did you know that the House plan that
14 was proposed went so far as to divide West Ashley?

15 SENATOR HARPOOTLIAN: Yes.

16 SENATOR SABB: And we had individuals come before
17 our subcommittee and indicate that he lived in West Ashley
18 and that the House plan essentially put him on one side,
19 but his black neighbors on the other.

20 SENATOR HARPOOTLIAN: Correct.

21 SENATOR SABB: And of course this plan doesn't do
22 that but Senator, you carefully pointed out a number of
23 places on the map where although West Ashley is not
24 divided, a number of the cities and municipalities are
25 divided in similar fashions, are they not?

1 SENATOR HARPOOTLIAN: By race, yes.

2 SENATOR SABB: And Senator, you mentioned another
3 statistic and I've forgotten exactly what it related to.
4 I think it was -- and it was in the early part of the
5 presentation in which you got on the maps, but I believe
6 it related to the amount of growth perhaps in one of the
7 areas and how the constituents that were a part of that
8 growth, it seems like you broke them down along racial
9 lines and indicated who had been moved into the 6th
10 District and who had been moved into the 1st.

11 Did you share some information similar to that?

12 SENATOR HARPOOTLIAN: I didn't do it based on
13 population growth but for instance, if you look at the
14 city of Sumter, about a 3rd of Sumter is in the 6th,
15 two-thirds in the 5th, but only 18 percent of the city of
16 Sumter's white population is allocated to the 6th.

17 So if a 3rd of their population is allocated to
18 the 6th but only 16 percent, the vast majority of folks
19 that are going from Sumter into the 6th are
20 African-Americans. Same thing with Columbia, same thing
21 with Charleston. So there's a pattern here.

22 SENATOR SABB: Senator, if you don't mind, walk
23 me through that. You just shared that specific statistic.

24 Can you do that for us in Richland and can you do
25 that for us in Charleston as well?

1 SENATOR HARPOOTLIAN: When you talk about the
2 city of Columbia, for instance, a third of Columbia is in
3 the 2nd, two-thirds in the 6th, but 75 percent of
4 Columbia's BVAP is in the 6th.

5 I mean, again, if you were to look at dividing
6 the county proportionately, if it was the just based on
7 population, disproportionately, African-Americans are
8 being pushed into the 6th and that happens in Charleston,
9 it happens in Columbia, it happens in Sumter. I mean, it
10 happens everywhere, and that's why so many county and city
11 splits in their plan are in the 6th District or on the
12 border of the 6th District.

13 So again, they start off with a benchmark and
14 that benchmark, I believe, wouldn't pass muster today but
15 they've adjusted it by putting more black folks in the 6th
16 or taking actually population growth of white folks and
17 putting them in the 1st or the 5th.

18 SENATOR SABB: And Senator, did you know there
19 was young lady who testified before our subcommittee and
20 she was a surgeon?

21 SENATOR HARPOOTLIAN: I remember.

22 SENATOR SABB: And one of the things that she
23 alluded to that she did not want South Carolina to become,
24 she used North Carolina and what the courts had said about
25 North Carolina, in terms of how they surgically

1 gerrymandered in such a way that it was so clear what they
2 were doing to the African-American population and her plea
3 to us, being a surgeon, was that we would not find
4 ourselves as a state where a court was saying something
5 along those lines about us.

6 Do you remember that, Senator?

7 SENATOR HARPOOTLIAN: I do.

8 SENATOR SABB: And, you know, that was telling to
9 me because one of the things that we want to continue to
10 be proud of is who we are, whose we are and how we treat
11 our fellow brothers and sisters.

12 Do you agree with me on that?

13 SENATOR HARPOOTLIAN: I do, absolutely.

14 SENATOR SABB: Well, Senator, I'll tell you I
15 think that your prediction is probably correct in terms of
16 where the votes will lie on what I believe is a good and a
17 fair plan that, in my mind, addresses what is a naturally
18 competitive area from a Congressional standpoint, that one
19 being the 1st, and if we would just allow nature to take
20 its course and not interfere, then the people in that area
21 will get the opportunity to choose their own
22 Congressperson, and not us choosing the Congressperson for
23 them. Do you agree with that?

24 SENATOR HARPOOTLIAN: I do.

25 SENATOR SABB: Thank you, Senator.

1 SENATOR HARPOOTLIAN: Thank you.

2 SENATOR SABB: Thank you, Mr. President.

3 PRESIDENT ALEXANDER: Yes, sir. Senator from
4 Richland, Senator McLeod, what purpose do you rise?

5 SENATOR MCLEOD: Will the Senator yield for a
6 couple of final questions from me?

7 SENATOR HARPOOTLIAN: Yes, I will.

8 PRESIDENT ALEXANDER: Senator yields.

9 SENATOR MCLEOD: Thank you, Senator. I want to
10 correct something that you said earlier. I think you said
11 that I represent Richland County only. I represent
12 Kershaw, a small portion of Kershaw as well.

13 SENATOR HARPOOTLIAN: Yes, ma'am, I'm sorry.

14 SENATOR MCLEOD: And when we did redistricting
15 last time -- I mean I've said this many times and I may be
16 in the minority -- but I do believe that we should not be
17 choosing our voters. Our voters should be choosing us.

18 SENATOR HARPOOTLIAN: Yes.

19 SENATOR BRIGHT MATTHEWS: And that's why I've
20 always introduced and co-sponsored legislation that would
21 allow for an independent redistricting commission but did
22 you know when we did this, when we did the redistricting
23 plan in 2012. There were -- I had so many constituents
24 who were upset that I was no longer on their ballots, even
25 though I -- they were my neighbors, we live in the same

1 neighborhood separated by one street or a couple of
2 streets, and they weren't aware of the impact on them.

3 So my question to you is -- I mean I know --
4 we've talked a lot about communities of interest and, you
5 know, keeping counties and certain areas whole.

6 But apart from or in addition to, rather, the
7 federal courts, I think all of us know how this is going
8 to end when it ultimately does come to a vote.

9 What recourse, what options, what opportunities
10 do voters have to, you know, have a say in who represents
11 them, aside from voting for the person that -- I mean,
12 they don't -- they won't have a choice when these maps
13 are, you know -- when these maps are finalized.

14 So what is -- what are their options?

15 Can you speak to that?

16 SENATOR HARPOOTLIAN: Well, I mean I think
17 obviously this is going to end up in federal court,
18 there's going to be a three judge panel, and based on what
19 I've seen so far, there's not going to be any new
20 Constitutional issue here. I think whatever that three
21 judge panel decides will not be granted cert by the U.S.
22 Supreme Court. I mean, this is pretty basic stuff. We're
23 not advancing any new Constitutional principles. So I
24 think they're going to get some relief there.

25 But I also think this: I mean I'd like to see,

1 as many competitive Districts now, you know, something
2 like 90 percent of the -- our races are resolved in
3 primaries, not general elections, so that's not really a
4 competition of ideas, and that's one of the things that's
5 attractive to my plan is that they will be competitive.

6 They're not D or R Districts, they're the 1st and
7 the 5th would be competitive. You know, somebody could...
8 could come up... you know, we could actually debate
9 ideas, not race. Somebody could actually debate from a
10 federal -- I mean if you send somebody to Congress,
11 they're not going to be owned by one party or the other.

12 So I think constituents out there have to ask
13 their House members or Senators how they voted on this and
14 explain this idea that somehow they had to follow -- the
15 benchmark is, I believe, legally infirm and I think the
16 4th Circuit -- the three judge panel will decide the same
17 way.

18 But look, we are more divided as a country than
19 we've ever been. We adopt this plan, it's just pouring
20 gasoline on the fire. It's more division. It's all about
21 who can be more Republican or who can be more Democrat,
22 not who's going to be more American.

23 SENATOR MCLEOD: Right.

24 SENATOR HARPOOTLIAN: Thank you.

25 PRESIDENT ALEXANDER: Thank you. Yes, sir,

1 Senator from Clarendon.

2 SENATOR K. JOHNSON: Thank you. I wanted to see
3 if the Senator will just yield for one question.

4 SENATOR HARPOOTLIAN: One question.

5 PRESIDENT ALEXANDER: Senator yields.

6 SENATOR K. JOHNSON: Senator, thank you.

7 I've heard the Senator from Charleston, Senator
8 Kimpson, allude to the fact that you made awhile ago also,
9 and you all are alluding to the fact that this is going to
10 end up in federal court.

11 SENATOR HARPOOTLIAN: Yes.

12 SENATOR K. JOHNSON: And I really don't know. So
13 if that's the case, is that expensive and who pays for it?

14 SENATOR HARPOOTLIAN: Well, if I were involved,
15 it would be expensive. I would hope.

16 The State will hire lawyers. I don't know
17 whether Mr. Terreni will be a lawyer or a witness but
18 people that -- I mean, I don't know who does this stuff
19 for the Senate. Jones Day, I think did it last time.

20 Big-time lawyers, very expensive.

21 And of course the plaintiffs will, having done
22 that and won one back in the '90s, we do it on typically,
23 if we win, we get attorneys' fees.

24 So you're doing it on the come.

25 But the State will pay hundreds of thousands of

1 dollars to defend this. Millions. A bunch.

2 Okay, done. Thank you.

3 SENATOR K. JOHNSON: Thank you.

4 PRESIDENT ALEXANDER: The pending question,
5 Senator from Edgefield, what purpose do you rise?

6 SENATOR MASSEY: Mr. President, I'd like to be
7 heard on the amendment.

8 PRESIDENT ALEXANDER: Senator from Edgefield has
9 been recognized to speak on the amendment.

10 SENATOR MASSEY: Mr. President, if I can, I'm
11 going to try to stay here at my desk just so I can have
12 the view of the screens but if I need to come up, I will,
13 if that's a problem, but I'd like to stay here if I can.

14 And I want to have just a little bit of response
15 to the Senator's comments and some of the questions
16 because it seems to me that there are two primary
17 arguments that the Senator from Richland articulated in
18 support of his amendment, his map.

19 The first one, the first argument that I
20 understood from the Senator from Richland is that the map
21 that the Senate adopted a few minutes ago is all about
22 race; that that's the only thing that was really taken
23 into consideration or that was the primary consideration,
24 and he then offers this map as a correction to a sole
25 consideration of race.

1 And in fact one of the arguments that the Senator
2 articulated was that the Senate -- what the Senate just
3 adopted constituted -- I think the words he used was a
4 bleaching of the 1st; however, Mr. President, I would
5 point out that the map that the Senate adopted earlier
6 actually has a larger percentage of African-American
7 voters than the 1st has today.

8 So I ask, how then did the Senate bleach it when
9 it created -- when it had more of an African-American
10 voting population in the new map than in the existing one?

11 Secondly, the Senator from Richland argues and I
12 think what he said was that the map that the Senate
13 adopted earlier today made it such that African-Americans
14 were disproportionately pushed into the 6th District.

15 I would point out first if we look at the
16 statistics, the map that the Senate adopted earlier today
17 actually has a lower African-American voting population in
18 the 6th under what we adopted than what it is in the
19 current. So not only did we not push more black voters
20 into the 6th, we actually pushed some out of the 6th -- a
21 significant number.

22 I would say further that the senator's proposal,
23 which is presumably offered to correct this focus on race,
24 particularly as he talked so much about the 6th District,
25 the Senator's plan actually packs more black voters into

1 the 6th District.

2 So I would argue, Mr. President, that the plan
3 adopted by the Senate earlier today is better for the
4 Senator's arguments than what the Senator proposes himself
5 because we have not bleached the 1st, we have not packed
6 more African-Americans into the 6th.

7 It has been the opposite of those things.

8 Now the second big argument that I heard the
9 Senator from Richland articulate was that with case law of
10 recent years, Shelby in particular, that there is no
11 requirement that the General Assembly use the existing map
12 as the basis for the next map, but then the Senator goes
13 further and says, well -- and suggests that using the
14 existing map is somehow improper.

15 But that's not the case. There's been no court
16 guidance that indicates that using the existing map as
17 guidance is improper but there can be a whole host of
18 reasonable, permissible maps.

19 Now we can disagree about what those options
20 ought to be. I would hope that we can do that without
21 calling each other racists. But the fact that we disagree
22 on a map does not mean that one is impermissible while the
23 other is permissible. There are several options that you
24 could choose.

25 While the Senator argues that you're not bound to

1 use the benchmark as the basis, there's nothing that says
2 we can't use the benchmark as the basis.

3 And I would argue that there are other things
4 that we should consider, and that is a constituency having
5 consistent representation. A constituency having other
6 folks with whom they have been in the District for many
7 years before, remain in that District.

8 If we look at where I live, where you live,
9 Mr. President, in the 3rd Congressional District from
10 Oconee and Pickens down to Edgefield and Saluda,
11 Mr. President, those counties have been in the 3rd
12 District for generations.

13 The Senator's plan, the Senator from Richland's
14 plan, divides that up and takes Greenwood, Abbeville,
15 McCormick, Edgefield, Saluda and puts them into the 2nd.

16 They've never been there. Those folks have
17 always been in the 3rd, surely, and that is part of the
18 criteria that we -- that the committee established, but
19 surely that is a reasonable basis for a General Assembly
20 to consider when drawing lines, having that consistency in
21 place.

22 The Senator's plan -- and few people would notice
23 this -- the Senator's plan splits the Savannah River site
24 by dividing Aiken and Barnwell Counties. I don't know
25 that Aiken and Barnwell have ever been separated.

1 He puts all the plutonium, the Senator from
2 Orangeburg, all the plutonium goes to the 6th District but
3 he leaves the rest of the site to the 2nd.

4 I would argue, Mr. President, that because of the
5 Savannah River site's significant impact on the economy in
6 South Carolina, it is helpful to have someone who spends
7 time there, who understands the issues there and who is
8 forceful in articulating those positions for the Savannah
9 River site, whereas right now, the Congressman
10 representing the 2nd District, Congressman Wilson, does
11 that because he has that experience.

12 The Senator's plan also -- and I mentioned this
13 earlier when I was talking about how I thought it was
14 important that the 2nd District include Fort Jackson.

15 I think that is especially important because if
16 you look at the current representation, Congressman
17 Wilson, if Congressman Wilson is reelected this year and
18 if the Congress were to change majorities -- which is
19 certainly something a lot of people are talking about --
20 some people think that will happen -- Congressmen Joe
21 Wilson is in line to be chairman of the Armed Services
22 Committee. In that respect, it would be especially
23 important for him to have Fort Jackson, which plays such a
24 significant role nationally for the United States Army,
25 it's important for him to have that District -- have that

1 Fort and those military personnel in his District, to
2 advocate for them, to articulate their issues and to
3 better represent the State as a whole.

4 There are a number of other issues and I won't
5 talk about all of them but I do find it interesting that
6 in the 5th, Senator puts Lake City and Rock Hill together.
7 I don't know that that's ever happened and, you know,
8 there's a... there's a lot of -- and folks in Columbia
9 and Charleston go back and forth on I-26 a fair amount.

10 I don't know that there's a whole lot of
11 traveling back and forth between Lake City and Rock Hill,
12 and how difficult that might be on the articulation of the
13 issues that are important to those folks.

14 Mr. President, I wanted to point out that I think
15 that there are... there are just some flaws in the
16 Senator from Richland's argument, that some of the points
17 he makes are just, respectfully, wrong as it relates to
18 the 1st District and to the 6th, and I think if you look
19 at the analysis, the statistics on it, it bears out that
20 his arguments are wrong.

21 But there are other criteria, several criteria
22 that the General Assembly could use in drawing Districts.

23 And some of the -- some of those things that I've
24 articulated, the courts have said are perfectly reasonable
25 things for the legislature to consider. Those are things

1 that I think we ought to consider, and I think keeping the
2 constituency together, having that consistency is an
3 important thing, along with some of the other things I've
4 articulated.

5 So Mr. President, respectfully, I would move to
6 table the Senator from Richland's amendment.

7 PRESIDENT ALEXANDER: The motion is to table the
8 amendment. Rollcall is required. Not on a tabled motion.

9 All in favor -- rollcall is not required -- so
10 all in favor -- rollcall has been requested.

11 The five members second, they call for a
12 rollcall. More than five members second to call.

13 The clerk will ring the bell. The Senator from
14 Fairfield.

15 SENATOR FANNING: Unanimous consent request.

16 PRESIDENT ALEXANDER: State your request.

17 SENATOR FANNING: Leave for the Senator from
18 Spartanburg, Senator Kimbrell for the remainder of the
19 day.

20 PRESIDENT ALEXANDER: Without objection.

21 The clerk will call the roll.

22 THE CLERK: Mr. Adams?

23 SENATOR ADAMS: Aye.

24 THE CLERK: Aye. Mr. Alexander?

25 PRESIDENT ALEXANDER: Aye.

1 THE CLERK: Aye. Mr. Allen?
2 SENATOR ALLEN: No.
3 THE CLERK: No. Mr. Bennett?
4 SENATOR BENNETT: Aye.
5 THE CLERK: Aye. Mr. Campsen?
6 SENATOR CAMPSSEN: Aye.
7 THE CLERK: Aye. Mr. Cash?
8 SENATOR CASH: Aye.
9 THE CLERK: Aye. Mr. Climer?
10 SENATOR CLIMER: Aye.
11 THE CLERK: Aye. Mr. Corbin?
12 SENATOR CORBIN: Aye.
13 THE CLERK: Aye. Mr. Cromer?
14 SENATOR CROMER: Aye.
15 THE CLERK: Aye. Mr. Davis?
16 SENATOR DAVIS: Aye.
17 THE CLERK: Aye. Mr. Fanning?
18 SENATOR FANNING: No.
19 THE CLERK: No. Mr. Gambrell?
20 SENATOR GAMBRELL: Aye.
21 THE CLERK: Aye. Mr. Garrett?
22 SENATOR GARRETT: Aye.
23 THE CLERK: Aye. Mr. Goldfinch?
24 SENATOR GOLDFINCH: Aye.
25 THE CLERK: Aye. Mr. Grooms?

1 SENATOR GROOMS: Aye.
2 THE CLERK: Aye. Mrs. Gustafson?
3 SENATOR GUSTAFSON: Aye.
4 THE CLERK: Aye. Mr. Harpootlian?
5 SENATOR HARPOOTLIAN: No.
6 THE CLERK: No. Mr. Hembree has leave.
7 Mr. Hutto?
8 SENATOR HUTTO: No.
9 THE CLERK: No. Mr. Jackson has leave.
10 Mr. Kevin Johnson?
11 SENATOR K. JOHNSON: No.
12 THE CLERK: No. Mr. Michael Johnson?
13 SENATOR M. JOHNSON: Aye.
14 THE CLERK: Aye. Mr. Kimbrell has leave.
15 Mr. Kimpson?
16 SENATOR KIMPSON: No.
17 THE CLERK: No. Mr. Loftis?
18 SENATOR LOFTIS: Aye.
19 THE CLERK: Aye. Mr. Malloy?
20 SENATOR MALLOY: Aye.
21 THE CLERK: Aye. Mr. Martin?
22 SENATOR MARTIN: Aye.
23 THE CLERK: Mr. Martin votes aye. Mr. Massey?
24 SENATOR MASSEY: Aye.
25 THE CLERK: Aye. Mrs. Matthews?

1 SENATOR BRIGHT MATTHEWS: No.
2 THE CLERK: No. Mr. McElveen?
3 SENATOR MCELVEEN: No.
4 THE CLERK: No. Ms. McLeod?
5 SENATOR MCLEOD: No.
6 THE CLERK: No. Mr. Peeler has leave.
7 Mr. Rankin? Mr. Rankin not voting. Mr. Rice?
8 SENATOR RICE: Aye.
9 THE CLERK: Aye. Mr. Sabb?
10 SENATOR SABB: No.
11 THE CLERK: No. Mr. Scott?
12 SENATOR SCOTT: No.
13 THE CLERK: No. Mrs. Senn? Mrs. Senn has leave.
14 Mr. Setzler?
15 SENATOR SETZLER: No.
16 THE CLERK: No. Mrs. Shealy?
17 SENATOR SHEALY: Aye.
18 THE CLERK: Aye. Mr. Stephens?
19 SENATOR STEPHENS: No.
20 THE CLERK: No. Mr. Talley?
21 SENATOR TALLEY: Aye.
22 THE CLERK: Aye. Mr. Turner?
23 SENATOR TURNER: Aye.
24 THE CLERK: Aye. Mr. Verdin?
25 SENATOR VERDIN: Aye.

1 THE CLERK: Aye. Mr. Williams?

2 SENATOR WILLIAMS: Aye.

3 THE CLERK: Aye. Mr. Young?

4 SENATOR YOUNG: Aye.

5 THE CLERK: Aye.

6 PRESIDENT ALEXANDER: Have all senators answered
7 the rollcall? All senators answered the rollcall. Polls
8 will close and the clerk will tabulate.

9 By a vote of 26-13, the amendment is tabled.

10 The reading clerk will publish the next
11 amendment.

12 THE CLERK: Next amendment, amendment number 3 by
13 Senator Harpootlian, amends the bill, strikes out the
14 enacting words and inserts.

15 PRESIDENT ALEXANDER: The Senator from Richland,
16 what purpose do you rise?

17 SENATOR HARPOOTLIAN: May I explain the
18 amendment?

19 PRESIDENT ALEXANDER: Recognized to explain his
20 amendment. Senator from Richland.

21 SENATOR HARPOOTLIAN: At this point it's the
22 League of Women Voters plan, tweaked slightly, which is
23 already in the record, it allows Dorchester, Berkeley and
24 Charleston to remain together, sort of.

25 But it speaks for itself.

1 All the data was filed by the League of Women
2 Voters and I think we additionally supplemented that data.

3 Again, it keeps counties whole, keeps cities
4 whole, it doesn't split as many precincts, as many cities,
5 as many counties as the Senate plan does. So unless you
6 have questions, I will... that's all I have.

7 PRESIDENT ALEXANDER: The question is the
8 adoption. Senator from Berkeley.

9 SENATOR GROOMS: Move to table.

10 PRESIDENT ALEXANDER: Move to table.

11 All in favor, say aye?

12 SENATE MEMBERS: Aye.

13 PRESIDENT ALEXANDER: Aye. Any -- those opposed,
14 say no. The ayes have it. The amendment is tabled.

15 Reading clerk will read the next amendment.

16 THE CLERK: Amendment number 4 by Senator Hutto.

17 It amends a bill by striking out enacting words
18 and inserting them.

19 PRESIDENT ALEXANDER: Senator from Darlington?

20 THE CLERK: The next amendment is Senator from
21 Orangeburg's amendment as well. Next several.

22 PRESIDENT ALEXANDER: Next several.

23 Do you want to do yours?

24 Stand at ease momentarily.

25 SENATOR SABB: Mr. President, if the Senate will

1 oblige, the Senator from Richland has an amendment that's
2 ready, and if we want to keep moving unanimous consent to
3 allow him to go to his amendment.

4 PRESIDENT ALEXANDER: Without objection.

5 SENATOR SABB: Number 8.

6 PRESIDENT ALEXANDER: The request unanimous
7 consent is to go to amendment number 8 by the Senator from
8 Richland.

9 SENATOR MARTIN: Mr. President, pardon me. What
10 amendment number do I have? Is it 7?

11 THE CLERK: That is correct, number 7.

12 PRESIDENT ALEXANDER: Amendment number 7.

13 SENATOR MARTIN: All right, it's amendment
14 number 7.

15 PRESIDENT ALEXANDER: To go to number 7.

16 Is there objection to go with number 7?

17 Hearing none, the reading clerk will publish the
18 amendment.

19 THE CLERK: Amendment number 7 is by Senator
20 Martin. It amends a bill by striking all after the
21 enacting words.

22 PRESIDENT ALEXANDER: Senator from Spartanburg.

23 SENATOR MARTIN: Mr. President?

24 PRESIDENT ALEXANDER: Yes, sir.

25 SENATOR MARTIN: Thank you, Mr. President,

1 members of the Senate. My amendment -- first off, I want
2 to thank the Judiciary Committee staff.

3 As we know, these amendments have to be done
4 detailed and be within variance and all of that, so I want
5 to thank all the judiciary staff and everyone who helped
6 draw this amendment.

7 My amendment really focuses on the 4th
8 Congressional District, but it impacts the 3rd, 4th and
9 5th.

10 So what happened in the -- see the comparison,
11 have the comparison up, but the 5th Congressional District
12 came into northern Spartanburg or northeastern Spartanburg
13 slightly under the last plan this body adopted ten years
14 ago.

15 Under the new plan, they brought in the 5th
16 District with about 35,000 more people into Spartanburg
17 County, moving westward in that little portion.

18 So what my amendment does is takes those 35,000
19 additional people back that were added to Spartanburg
20 County, moves those back into the 4th Congressional
21 District. It makes a large portion of Newberry that was
22 in the 3rd under the Judiciary Committee plan that we just
23 -- the Senate just adopted, puts Newberry into the 5th and
24 it moves the 4th Congressional District into Greenville
25 County but allowing a little bit of the southern portion

1 of Greenville on the map -- it allows the 3rd to come up
2 into Greenville just a little bit more.

3 And my goal on this is if you talk about... I
4 hate to use the word "benchmark" but I think that's a word
5 being used by the Senator from Colleton, so we'll go
6 there.

7 The benchmark for Greenville-Spartanburg -- and
8 I'm looking at Greenville-Spartanburg years ago --
9 Greenville-Spartanburg -- the Greenville County and
10 Spartanburg County were whole in the 4th Congressional
11 District. Each county was solid. The entire county of
12 Greenville, the entire county of Spartanburg was whole.

13 But as we gained a District, a Congressman -- we
14 used to have six, now we have seven -- I believe if we'd
15 have done the census six months later, we'd probably have
16 an eighth Congressman now.

17 But anyway, the benchmark difference between
18 Greenville County and Spartanburg County is 148,000 more
19 voters in Greenville County than Spartanburg County.

20 Under the plan that we just adopted from the
21 committee that we just adopted, I think that was
22 Amendment 1, I believe that's correct, that has a
23 difference of 190,812.

24 What my amendment does is strictly looking at
25 that Greenville-Spartanburg relationship. It puts that

1 number back to where Greenville has 118,974 more voters
2 than Spartanburg.

3 I think if you look at the map, talk about
4 Districts and communities being together, I would love
5 personally for Spartanburg to be whole but I understand
6 that that probably cannot happen.

7 I do feel that moving those folks out of northern
8 -- northeastern Spartanburg, leaving them in Spartanburg
9 and moving the 5th to Newberry, is a little more
10 consistent and contiguous for those communities involved,
11 and that's really all my amendment does.

12 So if there's any questions, I'll take them.

13 If not, I'd like to move adoption.

14 PRESIDENT ALEXANDER: The pending motion is the
15 adoption. Senator from Newberry.

16 SENATOR CROMER: See if the Senator will yield
17 for a question.

18 PRESIDENT ALEXANDER: Senator yield?

19 SENATOR MARTIN: Yes, sir, I'll gladly yield.

20 PRESIDENT ALEXANDER: Senator yields.

21 SENATOR CROMER: Senator, did I hear you say in
22 the one that we passed earlier, Newberry was made whole
23 but in this redraw that you're doing now, you're splitting
24 Newberry into two Congressional Districts?

25 SENATOR MARTIN: I do believe that Newberry,

1 under what we just passed, is in the 3rd Congressional
2 District.

3 SENATOR CROMER: That's correct.

4 SENATOR MARTIN: Under this amendment, Newberry
5 goes into the 5th all but I believe three precincts
6 because I had to get to that one person.

7 I was hoping we could do a pure deal.

8 SENATOR CROMER: Senator, as you know personally,
9 and I think most of the people in Newberry, they like
10 Jeff. They also like Ralph. So it wouldn't matter but I
11 think they'd want to be in one Congressional District.

12 PRESIDENT ALEXANDER: Senator from Sumter.

13 Senator, for what purpose do you rise?

14 SENATOR MCELVEEN: Can I ask the Senator from
15 Spartanburg to yield?

16 PRESIDENT ALEXANDER: For a question?

17 SENATOR MARTIN: I'll yield for a question.

18 PRESIDENT ALEXANDER: For a question.

19 SENATOR MCELVEEN: Senator from Spartanburg, I
20 was looking at your map and just had a couple of
21 questions.

22 Did you know that the only proposal I've seen so
23 far that keeps my home county intact in one District would
24 be the Senator from Richland's first plan I think that he
25 put up there and as you probably do know, my county now is

1 divided between the 5th and the 6th. I live in the 5th
2 District but not too far from the 6th.

3 Senator, the plan that we actually adopted, did
4 you study it pretty closely?

5 SENATOR MARTIN: Can you repeat that?

6 SENATOR MCELVEEN: The first amendment we
7 actually adopted, did you study that map pretty carefully
8 also?

9 SENATOR MARTIN: Senator, I'll be honest with
10 you, being on Finance, I did not. I did not study
11 anything closely. I looked at the maps and I started
12 looking at the counties I represent and that's why I came
13 up with this amendment.

14 SENATOR MCELVEEN: Just keeping it to the 5th
15 District for a second. What I saw on that first map --
16 and I'm on Finance now too, so I try to look at it
17 carefully, but that first map that I saw, I noticed that
18 on that first map that every county was intact in the 5th
19 District, I believe, except for yours and mine, and so
20 what I kind of wondered in that map, if there wasn't a way
21 to push, you know, out of Spartanburg County, push the 5th
22 out of Spartanburg County and fill in Sumter, because I
23 think the top tip of that District and then the bottom tip
24 -- top being in Spartanburg, bottom being Sumter -- were
25 the only two that weren't kept intact, but you didn't look

1 at a way to possibly do that?

2 SENATOR MARTIN: No, I didn't and I looked at a
3 way just to deal with the 4th, but I understood that the
4 3rd and 5th would be impacted, so I asked staff to draw an
5 amendment to where it wouldn't -- to where it would fit
6 and keep some of those things that have been discussed
7 whole in some of those areas. But other than that, that's
8 the purpose of this amendment we're on now.

9 SENATOR MCELVEEN: You know, like I said,
10 Senator, I think most people in my home county, I mean
11 have gotten kind of used to having two Congressional
12 Districts hit us, but I think it also makes it a lot
13 easier for folks if we can keep these counties intact like
14 I think you're trying to do here with your home county as
15 much as you can, it's easier for people to know who their
16 representative is in Washington and that's why I think
17 we're also looking for.

18 SENATOR MARTIN: I agree. I wish I could have
19 done more for moving the 5th out of Spartanburg more, but
20 I just physically couldn't.

21 SENATOR MCELVEEN: I heard you say that and I
22 appreciate you. Thank you.

23 SENATOR MARTIN: Thank you. Move adoption.

24 PRESIDENT ALEXANDER: Pending question is the
25 adoption of the -- Senator from Anderson, what purpose do

1 you rise?

2 SENATOR CASH: To see if the Senator will yield
3 for a question.

4 SENATOR MARTIN: I will yield.

5 PRESIDENT ALEXANDER: Senator yields.

6 SENATOR CASH: Senator, I kind of followed the
7 broad outline here. Do you have the numbers in front of
8 you as to what the 4th District would be, population-wise,
9 between Greenville and Spartanburg when you get -- if this
10 was to be adopted?

11 And also the other number that would be of
12 interest to me is how many voters in Greenville would be
13 now in the 3rd District?

14 SENATOR MARTIN: Well, the numbers -- and I can
15 get all that, I've got that right here, but the numbers I
16 gave out, you asked -- I said that from the podium, the
17 difference in Greenville and Spartanburg under the plan
18 the benchmark before this plan came out, before
19 redistricting this time, was 148 more thousand voters in
20 Greenville County than Spartanburg County.

21 SENATOR CASH: More voters?

22 SENATOR MARTIN: More voters. So under the plan
23 that was just adopted under Amendment 1, it had 190,812
24 more voters in Greenville than Spartanburg County.

25 My amendment has 118,974 more voters in the

1 county.

2 SENATOR CASH: And do you know, under your
3 amendment, how many Greenville voters would go into the
4 3rd District?

5 SENATOR MARTIN: Well, if I'm just doing the math
6 -- let me look here and see. I think I have that on here
7 what the staff gave me for a plan. Let's see.

8 I'm trying to see if I've got a county breakdown.

9 I think the number that I have for Greenville
10 County right here is, under the plan that was just
11 adopted, there's 461,008 people under the plan that we
12 just adopted in Greenville County.

13 Under my amendment, there's 425,089. So it moves
14 about 30,000 people. 30-ish.

15 SENATOR CASH: Okay, thank you.

16 SENATOR MARTIN: Move adoption.

17 PRESIDENT ALEXANDER: The pending question is the
18 adoption of the amendment. Senator from Newberry, what
19 purpose do you rise?

20 SENATOR CROMER: Mr. President, I respectfully
21 move to table the amendment.

22 SENATOR MARTIN: Rollcall.

23 PRESIDENT ALEXANDER: Motion to table by the
24 Senator from Newberry. Rollcall has been requested by the
25 Senator from Spartanburg. Do five members second the call

1 for a first? They do. The clerk will ring the bell.

2 Rollcall on the tabling of the amendment.

3 The clerk will call the roll.

4 THE CLERK: Mr. Adams?

5 SENATOR ADAMS: Aye.

6 THE CLERK: Aye. Mr. Alexander? Not voting.

7 Mr. Allen?

8 SENATOR ALLEN: Aye.

9 THE CLERK: Aye. Mr. Bennett?

10 SENATOR BENNETT: Aye.

11 THE CLERK: Aye. Mr. Campsen?

12 SENATOR CAMPSSEN: Aye.

13 THE CLERK: Mr. Cash? Not voting. Mr. Climer?

14 SENATOR CLIMER: Aye.

15 THE CLERK: Aye. Mr. Corbin?

16 SENATOR CORBIN: Aye.

17 THE CLERK: Aye. Mr. Cromer?

18 SENATOR CROMER: Aye.

19 THE CLERK: Aye. Mr. Davis? Not voting.

20 Mr. Fanning?

21 SENATOR FANNING: No.

22 THE CLERK: No. Mr. Gambrell?

23 SENATOR GAMBRELL: Aye.

24 THE CLERK: Aye. Mr. Garrett?

25 SENATOR GARRETT: Aye.

1 THE CLERK: Aye. Mr. Goldfinch?
2 SENATOR GOLDFINCH: Aye.
3 THE CLERK: Aye. Mr. Grooms?
4 SENATOR GROOMS: Aye.
5 THE CLERK: Aye. Mrs. Gustafson?
6 SENATOR GUSTAFSON: Aye.
7 THE CLERK: Aye. Mr. Harpootlian?
8 SENATOR HARPOOTLIAN: No.
9 THE CLERK: No. Mr. Hembree has leave.
10 Mr. Hutto? Not voting. Mr. Jackson has leave. Mr. Kevin
11 Johnson? Not voting. Mr. Michael Johnson?
12 SENATOR M. JOHNSON: Aye.
13 THE CLERK: Aye. Mr. Kimbrell has leave.
14 Mr. Kimpson?
15 SENATOR KIMPSON: No.
16 THE CLERK: No. Mr. Loftis?
17 SENATOR LOFTIS: Aye.
18 THE CLERK: Mr. Loftis votes aye. Mr. Malloy?
19 SENATOR MALLOY: Aye.
20 THE CLERK: Aye. Mr. Martin?
21 SENATOR MARTIN: No.
22 THE CLERK: No. Mr. Massey?
23 SENATOR MASSEY: Aye.
24 THE CLERK: Aye. Mrs. Matthews?
25 SENATOR BRIGHT MATTHEWS: No.

1 THE CLERK: No. Mr. Mike McElveen.
2 SENATOR MCELVEEN: No.
3 THE CLERK: No. Mrs. McLeod?
4 SENATOR MCLEOD: No.
5 THE CLERK: No. Mr. Peeler has leave.
6 Mr. Rankin?
7 SENATOR RANKIN: Aye.
8 THE CLERK: Aye. Mr. Rice?
9 SENATOR RICE: Aye.
10 THE CLERK: Aye. Mr. Sabb? Not voting.
11 Mr. Scott? Mr. Scott not voting. Mrs. Senn?
12 Mrs. Senn has leave. Mr. Setzler?
13 SENATOR SETZLER: Aye.
14 THE CLERK: Aye. Mrs. Shealy? Not voting.
15 Mr. Stephens?
16 SENATOR STEPHENS: No.
17 THE CLERK: No. Mr. Talley? Not voting.
18 Mr. Turner?
19 SENATOR TURNER: Aye.
20 THE CLERK: Aye. Mr. Verdin?
21 SENATOR VERDIN: Aye.
22 THE CLERK: Aye. Mr. Williams?
23 SENATOR WILLIAMS: Aye.
24 THE CLERK: Aye. Mr. Young?
25 SENATOR YOUNG: Aye.

1 THE CLERK: Aye.

2 PRESIDENT ALEXANDER: All senators?

3 Senator Sabb votes?

4 SENATOR SABB: No.

5 PRESIDENT ALEXANDER: Votes no. Senator Davis
6 votes aye. Senator Alexander votes aye. Senator Scott
7 votes no. Senator Hutto votes no. All members voted.

8 All members have voted. The polls are closed.

9 The clerk will tabulate.

10 By a vote of 25-11, the amendment is tabled.

11 The reading clerk will read the next amendment.

12 THE CLERK: Next amendment is amendment number 4
13 by Senator Hutto. It's a bill that strikes all after the
14 enacting words.

15 PRESIDENT ALEXANDER: Senator from Orangeburg is
16 recognized to explain his amendment.

17 SENATOR HUTTO: Thank you, members, I'm well
18 aware that it's Thursday afternoon and it's getting late,
19 so I want to offer you the opportunity to let me speak as
20 little as you'll let me speak by not asking me any
21 questions, and let me tell you what I'm trying to do.

22 I've got three amendments that have three
23 different plans. I'm going to ask -- is this the right
24 one on the screen? You're going to see these and fully
25 expect that they will meet the fate of the last amendments

1 that went up there and they're going to be tabled.

2 So the point of these amendments is to show you,
3 as Senator Edgefield pointed out, there are a lot of ways
4 to draw this map, okay? And there are many ways that --
5 to configure this that keeps communities of interest
6 together in a different way than we may have had
7 communities of interest in the past.

8 And so -- but these maps that I'm showing you
9 have the end result of making the Congressional Districts
10 more competitive. Some of them obviously are going to be
11 predominantly Republican and some of them, at least one,
12 will continue to be predominantly Democratic but it allows
13 two or three of them to be right at the 48 to 52 range in
14 competitiveness, and I think that that's what I hear the
15 voters want. They want an opportunity to have a choice
16 and not have it dictated to them as to who their
17 Congressional representative would be.

18 So these are relatively self-explanatory, as you
19 can see, but this -- and I will tell you that these maps
20 are -- so that you don't think that I spent a lot of time
21 sitting around drawing these, these are maps that I've
22 taken from the public submissions that were made to the
23 committee, okay? So these were offered.

24 There was a public submission opportunity. I've
25 had to tweak a few of them to bring them into compliance,

1 but the concepts of the communities of interest that the
2 individual citizens took time to work on are reflected in
3 these next three maps that I'm going to show you.

4 It keeps the 1st is generally a
5 Charleston-Lowcountry District. It keeps the 7th as a
6 Myrtle Beach PD into Florence District. It spans the 2nd
7 all the way the length of the I-95 corridor and as --
8 almost. I mean, it's a little bit of the area because
9 I-95 does veer down into Colleton but for the most part it
10 takes those counties which we often talk about as being in
11 the corridor of shame and there is a community of
12 interest; rural, agricultural communities along that, and
13 that is now District 2.

14 District 6 is a central Midlands. It keeps
15 Richland, Lexington and Fairfield together.

16 The 3rd District goes from Aiken up to Anderson
17 and those counties have been together for quite awhile.

18 District 4 is the mountainous area of the state,
19 is Greenville and the two what I call the mountain
20 counties, Oconee and Pickens.

21 And it leaves the 5th along the North Carolina
22 border, with Rock Hill and Spartanburg being the hubs at
23 either end.

24 So I offer this to you as another way to show
25 communities of interest can be kept together, while

1 putting forward competitive Districts.

2 And with that, I move adoption.

3 PRESIDENT ALEXANDER: The pending question is
4 adoption. Senator from Charleston is recognized to table.

5 Move to table? All in favor?

6 Senator from Darlington, what purpose do you
7 rise?

8 SENATOR MALLOY: Just a point of clarity for the
9 Senate.

10 PRESIDENT ALEXANDER: Are you going to ask him to
11 withhold his tabling motion?

12 SENATOR MALLOY: Well, I would ask him to
13 respectfully withhold his tabling motion until the Senator
14 vacates the podium.

15 SENATOR HUTTO: I have the next amendment, I'm
16 sorry.

17 PRESIDENT ALEXANDER: So noted, thank you.
18 Pending question?

19 SENATOR HUTTO: Move to table.

20 PRESIDENT ALEXANDER: All in favor, say aye?

21 SENATE MEMBERS: Aye.

22 PRESIDENT ALEXANDER: I'll note any nos? Ayes
23 have it. So ordered. The amendment is tabled.

24 The reading clerk will read the next amendment.

25 THE CLERK: The next amendment is amendment

1 number 5 by Senator Hutto.

2 It amends a bill by striking out --

3 PRESIDENT ALEXANDER: Senator from Orangeburg is
4 recognized on this amendment.

5 SENATOR HUTTO: You all are good at letting me
6 get it up and get it down quickly, so maybe we can do this
7 even quicker this time, maybe not.

8 This is another configuration that keeps Berkeley
9 and Charleston together. Both of these last two have the
10 beauty for the most part, keeping Charleston whole.

11 The 2nd does what the 2nd has done from time to
12 time, which is drawing from Lexington through Aiken down
13 to the coast. That's been not an unusual configuration
14 for the 2nd District.

15 The 6th keeps Columbia and Sumter, puts Fort
16 Jackson and Shaw Airfield in the same District in the 6th.
17 The 7th continues to be the beach area extending into the
18 PD. The 5th is the Rock Hill based District. The 4th is
19 Spartanburg and Greenville, both cities kept whole within
20 the 4th; and the 3rd is not completely different from the
21 3rd that we know which reaches all the way from Oconee
22 down through Edgefield and into Aiken.

23 So again, this is -- this map was submitted by
24 the NAACP as one of the ways that they suggested that you
25 could configure a map that would keep it together, keep

1 communities of interest together but again, it has the
2 advantage of making some of the Districts more competitive
3 politically and with that, I would offer this amendment.

4 PRESIDENT ALEXANDER: The pending question is the
5 adoption of the amendment.

6 Senator from Charleston, what purpose?

7 SENATOR KIMPSON: Move to table.

8 SENATOR HUTTO: Rollcall.

9 PRESIDENT ALEXANDER: Rollcall has been
10 requested. Do five members... more than five members
11 request? I did. The clerk will ring the bell.

12 The pending motion is to table the amendment.

13 The reading clerk will read.

14 THE CLERK: Mr. Adams?

15 SENATOR ADAMS: Aye.

16 THE CLERK: Aye. Mr. Alexander?

17 PRESIDENT ALEXANDER: Aye.

18 THE CLERK: Aye. Mr. Allen?

19 SENATOR ALLEN: Aye.

20 THE CLERK: Mr. Allen votes aye. Mr. Bennett?

21 SENATOR BENNETT: Aye.

22 THE CLERK: Aye. Mr. Campsen?

23 SENATOR CAMPSSEN: Aye.

24 THE CLERK: Aye. Mr. Cash?

25 SENATOR CASH: Aye.

1 THE CLERK: Aye. Mr. Climer?
2 SENATOR CLIMER: Aye.
3 THE CLERK: Aye. Mr. Corbin?
4 SENATOR CORBIN: Aye.
5 THE CLERK: Aye. Mr. Cromer?
6 SENATOR CROMER: Aye.
7 THE CLERK: Aye. Mr. Davis?
8 SENATOR DAVIS: Aye.
9 THE CLERK: Aye. Mr. Fanning?
10 SENATOR FANNING: No.
11 THE CLERK: No. Mr. Gambrell?
12 SENATOR GAMBRELL: Aye.
13 THE CLERK: Aye. Mr. Garrett?
14 SENATOR GARRETT: Aye.
15 THE CLERK: Aye. Mr. Goldfinch?
16 SENATOR GOLDFINCH: Aye.
17 THE CLERK: Aye. Mr. Grooms?
18 SENATOR GROOMS: Aye.
19 THE CLERK: Aye. Mrs. Gustafson?
20 SENATOR GUSTAFSON: Aye.
21 THE CLERK: Aye. Mr. Harpootlian?
22 SENATOR HARPOOTLIAN: No.
23 THE CLERK: No. Mr. Hembree has leave.
24 Mr. Hutto?
25 SENATOR HUTTO: No.

1 THE CLERK: No. Mr. Jackson has leave.
2 Mr. Kevin Johnson? Not voting.
3 Mr. Michael Johnson?
4 SENATOR M. JOHNSON: Aye.
5 THE CLERK: Aye. Mr. Kimbrell has leave.
6 Mr. Kimpson?
7 SENATOR KIMPSON: No.
8 THE CLERK: No. Mr. Loftis?
9 SENATOR LOFTIS: Aye.
10 THE CLERK: Aye. Mr. Malloy? Not voting.
11 Mr. Martin?
12 SENATOR MARTIN: Aye.
13 THE CLERK: Aye. Mr. Massey?
14 SENATOR MASSEY: Aye.
15 THE CLERK: Aye. Mrs. Matthews?
16 SENATOR BRIGHT MATTHEWS: No.
17 THE CLERK: No. Mr. McElveen?
18 SENATOR MCELVEEN: No.
19 THE CLERK: No. Mrs. McLeod?
20 SENATOR MCLEOD: No.
21 THE CLERK: No. Mr. Peeler has leave.
22 Mr. Rankin? Mr. Rankin votes aye. Mr. Rice?
23 SENATOR RICE: Aye.
24 THE CLERK: Aye. Mr. Sabb?
25 SENATOR SABB: No.

1 THE CLERK: No. Mr. Scott votes no.
2 Mrs. Senn has leave.
3 Mr. Setzler?
4 SENATOR SETZLER: No.
5 THE CLERK: Votes no. Mrs. Shealy?
6 SENATOR SHEALY: Aye.
7 THE CLERK: Aye. Mr. Stephens?
8 SENATOR STEPHENS: No.
9 THE CLERK: No. Mr. Talley?
10 SENATOR TALLEY: Aye.
11 THE CLERK: Aye. Mr. Turner?
12 SENATOR TURNER: Aye.
13 THE CLERK: Aye. Mr. Verdin?
14 SENATOR VERDIN: Aye.
15 THE CLERK: Aye. Mr. Williams?
16 SENATOR WILLIAMS: No.
17 THE CLERK: No. Mr. Young?
18 SENATOR YOUNG: Aye.
19 THE CLERK: Aye.
20 PRESIDENT ALEXANDER: Have all members voted?
21 Senator from Williamsburg. Senator Sabb.
22 SENATOR SABB: I just have a request.
23 PRESIDENT ALEXANDER: Senator Sabb.
24 SENATOR SABB: Leave for the Senator from
25 Clarendon.

1 PRESIDENT ALEXANDER: Without objection.

2 All members voted? All members voted.

3 Senator Malloy votes aye. Any other votes? The
4 polls will close and the clerk will tabulate.

5 A vote of 27-12, the amendment is tabled.

6 The reading clerk will read the next amendment.

7 THE CLERK: Amendment number 6 is by Senator
8 Hutto, amends a bill strikes all after the enacting.

9 PRESIDENT ALEXANDER: Senator from Orangeburg is
10 recognized to explain his amendment.

11 SENATOR HUTTO: And I find this one particularly
12 unique in several ways. One is it creates a coastal
13 District. It runs the -- so if you want a community of
14 interest, putting all the beach communities from Hilton
15 Head to Kiawah to Isle of Palms to Myrtle Beach and all
16 the things that go along with beaches and the coast -- and
17 look, Senator Campsen can tell you that's a District you'd
18 have to do by boat but anyway, it creates a coastal
19 District.

20 Then it takes a Berkeley-Dorchester District, and
21 forms it behind the coastal District as District and makes
22 that District 1.

23 It makes the 6th District, a District that's
24 centered around Columbia and Sumter, again putting two of
25 our military bases -- am I the right one? Yeah, together.

1 Then the 5th is truly a PD District without
2 Myrtle Beach. Now I hear from the PD sometimes, well,
3 y'all keep saying it's a PD District but only somebody
4 from the beach gets elected.

5 Well, this makes a PD District although it does
6 add Rock Hill in there, which could make it a little bit
7 interesting.

8 The 2nd District takes Lexington and Aiken which
9 have been together for awhile and Barnwell so the Savannah
10 River side is whole and then runs the 2nd up through
11 Anderson.

12 And this is one of the unique things.
13 Spartanburg is one of the cities that is always
14 complaining that, well, you know, we always get lumped in
15 with Greenville. We're a pretty big city and why don't we
16 get consideration when you're drawing this?

17 Well, this creates a Spartanburg District and a
18 Greenville District, which is a pretty interesting thing
19 and we'll see how you senators from Spartanburg vote on
20 this.

21 But, look, it is -- it does keep the four --
22 basically the four major metropolitan -- or five, if you
23 count Rock Hill, major metropolitan cities and if you
24 count Florence, six, together wholly within Districts or
25 areas. Now, admittedly, it splits the Tri-County area and

1 Charleston but creates synergy along the coast.

2 So I offer this as my final amendment, which has
3 a lot of good things going for it but maybe not good
4 enough.

5 PRESIDENT ALEXANDER: Senator from Horry, what
6 purpose do you rise?

7 SENATOR RANKIN: See if the Senator will yield
8 for a friendly, perhaps, correction.

9 SENATOR HUTTO: Sure.

10 SENATOR RANKIN: I think you're confused,
11 respectfully. You are offering a Senate plan that really
12 reflects Senator Campsen's District now. So are you sure
13 this is a Congressional draw or a Senate draw?

14 SENATOR HUTTO: Well, what I did is I took
15 Senator Campsen's District and just extended it to Myrtle
16 Beach.

17 SENATOR CAMPSSEN: Just a few more miles.

18 SENATOR HUTTO: Just a few more miles up the
19 coast.

20 PRESIDENT ALEXANDER: Senator from Charleston,
21 Senator Campsen, what purpose do you rise?

22 SENATOR CAMPSSEN: Senator, it is intriguing to
23 perhaps represent the entire coast but when you --

24 SENATOR HUTTO: Daunting as well.

25 SENATOR CAMPSSEN: It would be daunting as well,

1 and so when you move from the podium, I'm going to move to
2 table.

3 PRESIDENT ALEXANDER: Senator stepped away.

4 The Senator from Charleston is recognized.

5 SENATOR CAMPSER: Move to table.

6 PRESIDENT ALEXANDER: Move to table. All in
7 favor, say aye. Any opposed? The ayes have it.

8 So ordered.

9 The next amendment, the reading clerk will read.

10 THE CLERK: Next amendment is number 8 by Senator
11 Scott. It amends the bill, it strikes all after the
12 enacting words.

13 PRESIDENT ALEXANDER: Senator from Richland
14 recognized on explaining your amendment.

15 SENATOR SCOTT: Mr. President, members of the
16 Senate, I spoke earlier about moving some counties around
17 that I thought made more competitive sense, in terms of
18 how the Congressional District would actually look.

19 I took a real close look at some of the previous
20 drawings that we had done, especially the court plan in
21 2002 and we found that in the 3rd District, just like
22 what's there now, Anderson, Laurens, Abbeville, Saluda,
23 McCormick and Aiken was intact.

24 We looked at the 2nd on the 2nd shift ten years
25 ago but in 2002 in the court drawn plan, Lexington, Aiken,

1 Barnwell, Allendale, Hampton, Jasper and Beaufort were all
2 in the same county.

3 We looked at Richland in this plan, we stay
4 pretty close to the 2002 before we did a major shift in
5 the 2010 - '12 Richland, Calhoun, Orangeburg, Dorchester,
6 Clarendon, Williamsburg, Sumter, Florence and Lee, but
7 what I saw in the 2010 plan compared to -- the '10 or '12
8 plan compared to the court drawn plan, what we did, we
9 split a lot of counties.

10 In this particular plan that I have before you
11 today, the counties that are actually split, Kershaw split
12 just a tiny bit in Richland, just to make sure the one
13 vote process can only have that one vote deviation to make
14 some correction. Aiken probably took the largest split.

15 Aiken is split between the 2nd, which has about
16 98,939, and the 3rd, which is 6 to 9,896.

17 We talked about Dorchester and Dorchester was an
18 original plan too but inside Dorchester, we only --
19 Dorchester split between the 5th and the 6th but the 6th
20 only got about 16 by 16,000 people.

21 Florence took a minor split in the 6th, 10,609.

22 Greenville County's only split between the 3rd
23 and the 4th to meet that one percent deviation, that's
24 4,341, that actually went into the 3rd District.

25 In looking at the 3rd District, for those who are

1 familiar with what's called GLEAMNS Country, Anderson was
2 added in that a long time ago. Abbeville was also in it.

3 And so the other smaller counties that came in
4 too, it was Faville (ph), Faville and Kershaw, but if you
5 look at Faville and Kershaw, they all have something in
6 common now, especially over in the Senate drawn plan.

7 To eliminate the conversation we've been having
8 about Spartanburg and Greenville, Spartanburg is large
9 enough really to be what's called a base in a
10 Congressional District.

11 We've looked at Pickens and Oconee in which
12 Pickens has grown to about 31,000 and Oconee about 78,000.

13 Greenville is the base part of the Congressional
14 District, 521,000 persons.

15 So I took a real close look at the driving force
16 of the economic counters that I thought would create the
17 possibility of growth, especially when you looked at
18 smaller counties who were struggling, trying to make it.

19 Greenville had a population of 521,193, then
20 Richland County 416,146 and in Charleston County 408,
21 Horry County with 351 and there's that spot where we
22 talked about again 327,997.

23 And of course Lexington County, 339, and then
24 Anderson County.

25 And so if you look at the configuration of what

1 we did with these seven Districts, we made sure that those
2 counties, with the exception of Greenville that we only
3 took about 4,000 out to meet the balance but the base of
4 the Greenville is within that in the 4th Congressional
5 District, which simply mean that these counties now
6 basically are made whole.

7 You said you couldn't draw a plan to make them
8 whole. Yes, you can. It just requires you to shift some
9 things around in those counties that already have
10 something in common.

11 I heard a conversation earlier about York County.
12 York County is slowly coming into its own with 282,000,
13 but because of its geographical location, York and
14 Spartanburg becomes those counties that attract people
15 that come in that particular region, which we got
16 Spartanburg with 300,000 and there's Cherokee with about
17 56,000, York County with 292 and Lancaster, which is one
18 of the faster growing counties that we have.

19 PRESIDENT ALEXANDER: Senator from Orangeburg,
20 Senator Stephens, for what purpose do you rise?

21 SENATOR STEPHENS: Senator, would you yield for a
22 question, please?

23 SENATOR SCOTT: Just one more little minute.

24 PRESIDENT ALEXANDER: Refuses at this time.

25 SENATOR SCOTT: I'll come right back to you, I

1 promise you.

2 And so we looked at a real discussion in looking
3 at the BVAP in this plan, which I thought was a better
4 plan, split less counties, made larger counties whole.

5 The 6th Congressional ends up with about
6 47.49 percent BVAP, which I thought was a good BVAP.

7 And looking at also, because of the splits you
8 had and the previous drawing, you narrowed a lot of
9 counties down and you gave those -- you gave the 6th an
10 opportunity to begin to have some growth.

11 Remember I mentioned a moment ago Kershaw, simply
12 because the back of Richland County when you get to Lugoff
13 is the Kershaw side which represented a mere -- McLeod
14 represents that small portion but it's slowly growing and
15 they've got a little bit of everything in common on that
16 part because of a lot of subdivisions have a lot of things
17 in common.

18 Dorchester was a conversation I guess because of
19 the new industry that's over there, I think Berkeley, one
20 of them Volvo and the other one has Mercedes-Benz.
21 Dorchester was always there. So we did not harm
22 Dorchester, in terms of what we was trying to do.

23 We only put about 16,000 of that population, the
24 basic population it had, it had all before.

25 One of the most important things was looking at

1 counties like Orangeburg County.

2 Orangeburg County, ten years ago, had 90,000
3 population, it's down to 84,000 but we made Orangeburg
4 whole and in the Senate plan, Orangeburg and Dorchester
5 are, back of Berkeley, have a lot in common.

6 It was a conversation earlier about Berkeley
7 County, so we put Berkeley and Charleston together and so
8 we're looking at how these Congressional District
9 representatives can also help spread some of the growing
10 wealth inside of the smaller counties.

11 We looked at the 2nd Congressional District.

12 As I mentioned before, a lot of those counties
13 were in the 2nd Congressional District before and what we
14 did, we just split a bunch of counties and shifted
15 population over to the 6th.

16 I'm not saying you have to do that anymore
17 because a lot of smaller counties actually lost a lot of
18 population.

19 Barnwell, Allendale, Hampton and others are
20 always in the 2nd Congressional District, we just made a
21 shift.

22 I heard a conversation earlier about representing
23 Fort Jackson, the training center in which I'm in Richland
24 County. If you're that close in what's called the
25 Midlands, which is Lexington and Richland, I'm more than

1 sure if the Senate -- if the Congressman from Lexington --
2 and this is if this happened and if it don't happen, that
3 he's going to do what's necessary to make sure that Fort
4 Jackson get what it needs.

5 This is the plan that I thought it made a lot
6 more sense in the Florence part is at the Lake City
7 portion of it.

8 The biggest thing was keeping these precincts
9 whole and narrowing these counties and move away from this
10 big discussion about what this person want, that person
11 doesn't want, to actually make the map look like something
12 that's within reason.

13 We're looking at Sumter Counties and Sumter
14 always have been split and it really has not helped the
15 growth for Sumter and so we made Sumter whole.

16 Richland is the base of the 6th Congressional
17 Districts and I asked a question early on, given the
18 numbers that you had down in Charleston, it really didn't
19 make sense for that portion of a base portion of a
20 Congressional District to be that deep into Charleston.

21 I know we're looking at population. That's where
22 the growth was. That discussion was simply because folk
23 did not want to share and move these counties around that
24 made good common sense.

25 We kept the coast coastal, Charleston and

1 Berkeley is all together. So it takes care of the
2 import/export issues we had out there, and the PD -- and
3 we fragmented the PD so bad before, really and truly I can
4 remember my days in the governor's -- when I was in the
5 governor's office, the PD was a striving community.

6 Bringing them back together, we think that -- I
7 think that we can provide some extra help with the PD
8 counties beginning to work together. There's very little
9 you can do about the Horry-Georgetown area but to get them
10 also in the base of that portion of Congressional District
11 begin to take a look at some of the issues that's actually
12 affecting the PD, the PD as a whole.

13 And so what my map indicates that with a little
14 extra effort, moving away from the political party of it
15 and trying to draw a map that makes more common sense,
16 that we look at the economic impact of this District.

17 I talked earlier about the shift that has
18 happened and what's going on in Orangeburg, but I think
19 you just kind of tied their hands when you put all of
20 those poor counties in one area.

21 And so Lexington becomes the base to help the
22 Calhoun, the Bamberg, the Allendale, and you come down to
23 Hampton when you get into more of an area where you do
24 have some tourism, and Colleton was also in the 2002 map
25 was in the 6th -- I'm sorry -- was in -- was in the 6th.

1 Colleton this time is in the 2nd. Hoping that we
2 can create some energy and some movement with some of the
3 larger counties helping with the tax base to create some
4 growth. I'll entertain your questions, sir.

5 PRESIDENT ALEXANDER: Senator from Orangeburg,
6 Senator Stephens, for what purpose do you rise?

7 SENATOR STEPHENS: Ask the Senator a couple of
8 questions, please.

9 PRESIDENT ALEXANDER: Senator yield?

10 SENATOR HUTTO: Senator yields.

11 SENATOR STEPHENS: Senator, looking at your map,
12 am I seeing correctly that Dorchester County is actually
13 split between District 1, 2 and 6?

14 SENATOR HUTTO: Dorchester County is split
15 between Districts 6 and 5. Six only picked up 16,005,
16 picked up 52,332, unless I left something out.

17 SENATOR STEPHENS: I'm looking at the colors.
18 Maybe you can explain to me the colors.

19 The tan or the light yellow?

20 SENATOR HUTTO: The light yellow is in the 2nd.

21 SENATOR STEPHENS: The 2nd.

22 And that's swinging around from Lexington down
23 into Dorchester and Colleton County?

24 SENATOR HUTTO: Yes, sir.

25 It picks up a very small portion of it.

1 SENATOR STEPHENS: And then the whatever that
2 green-looking color is, that's District 1, correct?

3 SENATOR HUTTO: The green color is 3.

4 SENATOR STEPHENS: 3?

5 SENATOR HUTTO: That's the 3rd -- oh, I'm sorry.
6 That's one with Berkeley and Charleston making up the bulk
7 of that District -- that's correct -- with Charleston
8 having 400,000 -- 408,000 and Berkeley having the 229 and
9 there's something else that's... I think that's a small
10 portion of Dorchester that's not picked up on this map.

11 SENATOR STEPHENS: I'm seeing Dorchester, once
12 again, between 1, 2 and 6.

13 SENATOR HUTTO: You're correct. Correct.

14 SENATOR STEPHENS: And with that in mind, what is
15 the --

16 SENATOR HUTTO: Let me correct that and
17 Dorchester is in one by 93,107. That's the heaviest
18 portion of the base that was left out of my notes.

19 SENATOR STEPHENS: Do you know what percentage is
20 in the 2nd Congressional District of Dorchester? I see it
21 look like the Ridgeville area.

22 SENATOR HUTTO: That's Ridgeville, that's
23 correct. It's a very small portion of it.

24 SENATOR STEPHENS: So Senator, what is the BVAP
25 for the 2nd Congressional District; do you have that?

1 SENATOR HUTTO: Yes, sir, I do.

2 In the 2nd Congressional District the BVAP is
3 19,882 -- 19,000 -- 19.82, I'm sorry.

4 SENATOR STEPHENS: And the BVAP, then, for the
5 6th Congressional District?

6 SENATOR HUTTO: In the 6th is 47.49. Let me just
7 give them to you so you can jot them down.

8 The 1st was 22.47, the 2nd is 19.82, the 3rd is
9 24.37, the 4th is 13.80, the 5th is 19.07, the 6th is
10 47.49, and the 7th is 24.84.

11 SENATOR STEPHENS: So with that in mind, Senator,
12 would you say that your map is more competitive --

13 SENATOR HUTTO: Yeah.

14 SENATOR STEPHENS: -- as far as Congressional
15 races are concerned?

16 SENATOR HUTTO: Yes, for a number of reasons.

17 When you go down to -- and I apologize again for
18 leaving Dorchester out, it was just left out of my notes.

19 When you look at in Charleston, as an example --
20 and I don't know whether or not you've driven down there
21 lately, but it is rough.

22 SENATOR STEPHENS: Yes, sir.

23 SENATOR HUTTO: It's like little Charlotte now.

24 But because of Boeing, Volvo and Mercedes and the
25 port, it's a growing, growing, three growing counties.

1 So it didn't harm that growth but I wanted it to
2 be strong enough that adjacent to some other counties is
3 the possibility of a spillover, especially when you look
4 at local tax incentives and others to be able to make it
5 more competitive.

6 So a small portion of Dorchester is in the 6th
7 and I anticipate the next fast growing county in that
8 region will probably be Orangeburg, with this beautiful
9 industrial park. You also have the hospital facilities.
10 It does have three HPCUs there and also has a technical
11 school there, so there's so much possibility there.

12 And if I get -- Orangeburg begin to grow, then
13 I'm going to spill over back into the 2nd.

14 That will affect the Allendale, the Calhoun and
15 the other smaller counties that over in there.

16 SENATOR STEPHENS: So I guess I can safely say
17 that if I'm thinking along your line of thinking, that
18 District 3, District 6 and District 7 will be the most
19 competitive of Districts?

20 SENATOR HUTTO: Well, when you say "competitive,"
21 all I did in 7 was made the PD whole again. I mean, when
22 they fragmented the PD and they really damaged the PD but
23 the PD is now made whole again, Chesterfield, Marlboro,
24 Darlington, Florence, Marian, Dillon, and of course Horry
25 just sits on the coast, for a long time was really not the

1 PD but it became the PD.

2 And so it became the fastest growing because of
3 tourism but it still needs some attraction for us to be
4 able to come within that region to be able to become a
5 more desirable community, to find an industry that can
6 come in and help contain the growing economy.

7 The governor talked last night also about those
8 companies coming in. Right now they're 4,890
9 manufacturing companies in South Carolina.

10 What is -- what my concern is is called physical
11 location. I looked at three being built close to
12 Orangeburg but not in Orangeburg and one had been built in
13 Orangeburg what we're now seeing Orangeburg with loss in
14 population in Orangeburg, that surrounding would not have
15 happened. These people moved out of the smaller counties,
16 moved into the larger counties but at some point you're
17 not going to be able to build fast enough, your road
18 infrastructure is not going to be in place fast enough to
19 be able to meet those mandates.

20 And if I look at the infrastructure portion of
21 it, it makes the infrastructure plan fit in that when I go
22 back over to looking at the 3rd -- used to be called
23 GLEAMNS Country and the Anderson was added and Abbeville
24 was always in it, but what they do have in common?

25 They're all small counties and so what we're

1 talking about with the rural initiative and the governor
2 having asked for \$500 million to do some rural
3 initiatives, you really can begin to plan rural
4 initiatives, and in looking at those rural initiatives,
5 have a plan that basically meet the same infrastructure
6 need, economic with business growth needs, home, housing,
7 health care and those kinds of issues, you can actually
8 develop a plan that actually fit those particular
9 communities.

10 SENATOR STEPHENS: Thank you, Mr. President.

11 Thank you, Senator.

12 PRESIDENT ALEXANDER: Thank you.

13 Senator Matthews, for what purpose do you rise?

14 SENATOR BRIGHT MATTHEWS: To see if the Senator
15 would yield.

16 SENATOR HUTTO: Senator yields.

17 PRESIDENT ALEXANDER: For questions?

18 SENATOR BRIGHT MATTHEWS: Yes.

19 PRESIDENT ALEXANDER: The Senator yields for
20 questions.

21 SENATOR BRIGHT MATTHEWS: Senator, what was your
22 primary reason for placing Colleton, moving it from the
23 6th to the 2nd, other than is that just the way it shifts?

24 SENATOR HUTTO: That's the way it shifted.

25 I can't go down there to get you.

1 SENATOR BRIGHT MATTHEWS: You just wanted to have
2 Colleton in there?

3 SENATOR HUTTO: No, you've got to be contiguous,
4 and that made it hard for me to get -- you know, you're
5 right next door to Dorchester but if I did anymore, I mean
6 my -- what's required, that one vote margin, I could not
7 meet what the standard was.

8 SENATOR BRIGHT MATTHEWS: What about all this
9 talk that we've heard about benchmark this, benchmark
10 that; did any of your map rely upon the old stuff from ten
11 years ago?

12 SENATOR HUTTO: When I went back to 2002, when we
13 really began looking at drawing the 6th Congressional
14 District and that's before we added 2010 with the 7th.

15 The 7th District really is what has created the
16 big shift and the change in numbers, and I've heard a lot
17 of conversation today which counties had the same common
18 interests and which counties it don't. I'm very serious.

19 If you were in the PD back in the day, you in
20 tobacco country. If you were in the Lowcountry, you were
21 crops and other kinds of goods and services that comes to
22 market.

23 But somehow or another, the urbanites, in which I
24 live in the urban portion but I think I spend most of my
25 time working on the rural issues that we have in the

1 state, and we've got a lot of concern.

2 The glass can't be half-full. The urban can't be
3 doing well, the rural doing bad, and the state doing good.

4 That's a false statement.

5 So when you actually go back and you look at and
6 you start at a beginning point before Horry County just
7 took off in growth and we had the big growth, you have to
8 come back and actually plug things back in to see whether
9 or not it actually makes sense from the way it was long
10 before we added another Congressional District and then
11 what I saw in the other plan, which is not a bad plan but
12 it's not the best plan.

13 And my plan is not playing political games, my
14 plan is all about what can we do to make sure rural
15 counties get what they need, manufacturing begin to take a
16 look at South Carolina and what we need to do as we
17 continue to grow, but grow and be able to meet the needs
18 of the community and slow down the shifting -- and you can
19 only grow 500,000. Not that many folk passed away in
20 COVID -- and I'm sorry and I apologize to those families
21 who lost loved ones in COVID, it's a bad thing, but you
22 can't grow 500,000.

23 And you look at surrounding counties with people
24 that continue to shift to other areas and expect those
25 counties to maintain health care facilities.

1 And we debated that bill yesterday and I checked
2 my comments with that, and expecting these counties to be
3 able to pay just the basic cost with no tax base, that's
4 not going to work.

5 SENATOR BRIGHT MATTHEWS: Senator, did you keep
6 Fort Jackson in the 2nd?

7 SENATOR HUTTO: No, Fort Jackson is in the --
8 before there was a 6th, there was a 2nd and all the 2nd
9 had Richland and Lexington County in it. There is a 6th
10 and there is a 2nd. The 2nd, as indicated, has a
11 population of 293,991 and the 6th in Richland County has a
12 population of 416,000.

13 They deserve what those representatives are in
14 the base part of the economic picture to make them whole,
15 and this map makes them whole.

16 SENATOR BRIGHT MATTHEWS: Thank you.

17 SENATOR HUTTO: Move for adoption of the plan.

18 PRESIDENT ALEXANDER: The Senator from
19 Dorchester, for what purpose do you rise?

20 SENATOR BENNETT: If the Senator would yield for
21 a question.

22 SENATOR HUTTO: Senator yields for a question.

23 SENATOR BENNETT: Thank you, Senator. I'm
24 looking at this map, Senator, I've been listening
25 attentively for hours now on different views, and while we

1 often are able to draw a very pretty map with as little
2 angles as possible, this one happens to have -- picking up
3 on the Senator from Orangeburg's comments, I see not only
4 Dorchester County here split into two, it looks like
5 three, to me.

6 SENATOR HUTTO: It's three, it's three splits.

7 SENATOR BENNETT: And it certainly divides the
8 city of Summerville, which makes up the bulk of the
9 population in Dorchester County into two of the three.

10 And I get back, Senator, was that the intention?

11 SENATOR HUTTO: Let's talk about that.

12 In the base of where Dorchester is that makes up
13 where your growing community is, along with Berkeley and
14 Charleston, that portion is kept whole.

15 So Berkeley, Charleston and that portion of
16 Dorchester is kept whole.

17 SENATOR BENNETT: Well, Senator, it's not kept
18 whole.

19 SENATOR HUTTO: Not the county, the base of your
20 growing economic picture is whole.

21 SENATOR BENNETT: It's not even the economic
22 base, Senator, it's -- that portion is split between two
23 Congressional Districts here and one of them, again
24 getting back to the point that we've made over and over
25 again during this debate of this communities of interest

1 of the Tri-County area, those communities are interlocked
2 and for that, for that reason, Senator, unless you have
3 more, I'm going to respectfully move to table your
4 amendment.

5 SENATOR HUTTO: As soon as I sit down, you have
6 the right and the pleasure to do that.

7 Let me just try to answer your question because
8 no matter what I put up here today, you're going to move
9 to do that anyway, but I'm going to put these plans out
10 there.

11 Dorchester County, the discussion all day long
12 was to come through Dorchester County to get to
13 Charleston.

14 When you look at the previous plan that you've
15 had, that I went back to 2002, Dorchester County was split
16 then, it was in the 6th Congressional District.

17 And so to leave the larger portion of Dorchester
18 County in the 1st with 93,000 in total population and only
19 16,000 actually went into the 6th, and over into the
20 5th... I'm sorry. It went into the 6th.

21 Only 16,000 went into the 6th.

22 PRESIDENT ALEXANDER: Senator from Richland, he's
23 relinquishing the floor.

24 SENATOR HUTTO: I'm done.

25 SENATOR BENNETT: If the Senator is done, I

1 respectfully move to table the amendment.

2 PRESIDENT ALEXANDER: The Senator from Dorchester
3 has moved to table the amendment.

4 The Senator from Richland has asked for a
5 rollcall. Five members -- yeah, I'm going to.

6 Got more than five. Five members have.

7 Clerk will ring the bell.

8 The reading clerk will call the roll.

9 THE CLERK: Mr. Adams?

10 SENATOR ADAMS: Aye.

11 THE CLERK: Aye. Mr. Alexander?

12 PRESIDENT ALEXANDER: Aye.

13 THE CLERK: Aye. Mr. Allen?

14 SENATOR ALLEN: Aye.

15 THE CLERK: Aye. Mr. Bennett?

16 SENATOR BENNETT: Aye.

17 THE CLERK: Aye. Mr. Campsen?

18 SENATOR CAMPSSEN: Aye.

19 THE CLERK: Aye. Mr. Cash?

20 SENATOR CASH: Aye.

21 THE CLERK: Aye. Mr. Climer?

22 SENATOR CLIMER: Aye.

23 THE CLERK: Aye. Mr. Corbin?

24 SENATOR CORBIN: Aye.

25 THE CLERK: Aye. Mr. Cromer?

1 SENATOR CROMER: Aye.
2 THE CLERK: Aye. Mr. Davis?
3 SENATOR DAVIS: Aye.
4 THE CLERK: Aye. Mr. Fanning?
5 SENATOR FANNING: No.
6 THE CLERK: No. Mr. Gambrell?
7 SENATOR GAMBRELL: Aye.
8 THE CLERK: Aye. Mr. Garrett?
9 SENATOR GARRETT: Aye.
10 THE CLERK: Aye. Mr. Goldfinch?
11 SENATOR GOLDFINCH: Aye.
12 THE CLERK: Aye. Mr. Grooms?
13 SENATOR GROOMS: Aye.
14 THE CLERK: Aye. Mrs. Gustafson?
15 SENATOR GUSTAFSON: Aye.
16 THE CLERK: Aye. Mr. Harpootlian?
17 SENATOR HARPOOTLIAN: No.
18 THE CLERK: No. Mr. Hembree has leave.
19 Mr. Hutto?
20 SENATOR HUTTO: No.
21 THE CLERK: No. Mr. Jackson has leave.
22 Mr. Kevin Johnson has leave.
23 Mr. Michael Johnson?
24 SENATOR M. JOHNSON: Aye.
25 THE CLERK: Aye. Mr. Kimbrell has leave.

1 Mr. Kimpson? Mr. Kimpson not voting.
2 Mr. Loftis?
3 SENATOR LOFTIS: Aye.
4 THE CLERK: Aye. Mr. Malloy? Not voting.
5 Mr. Martin?
6 SENATOR MARTIN: Aye.
7 THE CLERK: Mr. Martin votes aye. Mr. Massey?
8 SENATOR MASSEY: Aye.
9 THE CLERK: Aye. Mrs. Matthews?
10 SENATOR BRIGHT MATTHEWS: No.
11 THE CLERK: No. Mr. McElveen?
12 SENATOR MCELVEEN: No.
13 THE CLERK: No. Mrs. McLeod?
14 SENATOR MCLEOD: No.
15 THE CLERK: No. Mr. Peeler has leave.
16 Mr. Rankin?
17 SENATOR RANKIN: Aye.
18 THE CLERK: Aye. Mr. Rice?
19 SENATOR RICE: Aye.
20 THE CLERK: Aye. Mr. Sabb?
21 SENATOR SABB: No.
22 THE CLERK: No. Mr. Scott votes no.
23 Mrs. Senn has leave.
24 Mr. Setzler?
25 SENATOR SETZLER: No.

1 THE CLERK: No. Mrs. Shealy?

2 SENATOR SHEALY: Aye.

3 THE CLERK: Aye. Mr. Stephens?

4 SENATOR STEPHENS: No.

5 THE CLERK: No. Mr. Talley?

6 SENATOR TALLEY: Aye.

7 THE CLERK: Aye. Mr. Turner?

8 SENATOR TURNER: Aye.

9 THE CLERK: Aye. Mr. Verdin?

10 SENATOR VERDIN: Aye.

11 THE CLERK: Mr. Verdin votes aye. Mr. Williams?

12 SENATOR WILLIAMS: No.

13 THE CLERK: No. Mr. Young? Mr. Young votes aye.

14 PRESIDENT ALEXANDER: Have all members voted?

15 Senator Malloy votes aye. Other members?

16 Yes, ma'am, Senator from Colleton, state your

17 request.

18 SENATOR BRIGHT MATTHEWS: To give the Senator
19 from Charleston, Senator Kimpson, leave prior to the vote.

20 PRESIDENT ALEXANDER: Without objection.

21 Any other votes? Hearing none, poll is closed,
22 the clerk will tabulate.

23 By a vote of 27-11, the amendment is tabled.

24 There's no further amendments.

25 The bill is returned to the House.

1 Senator from... thank you, sir.

2 Senator from Edgefield.

3 SENATOR MASSEY: Mr. President, it's a long
4 Thursday for the 2nd week of session but I think we've
5 accomplished what we needed to accomplish today, so I want
6 to see if anybody has any unanimous consent requests
7 before we adjourn for the week.

8 PRESIDENT ALEXANDER: Senator from Horry, for
9 what purpose do you rise?

10 SENATOR RANKIN: To mention very briefly, if I
11 can, everyone's attention very briefly, Senator from
12 Darlington as well.

13 Folks, though we didn't vote this one out
14 unanimously or save two ney votes as we did on the Senate
15 plan, I do want to thank each of you. The indulgences of
16 everyone who didn't have an option to be here but for us,
17 hello Senator from Richland -- particularly the judiciary
18 staff and subcommittee staff and the members of this full
19 committee and this entire Senate.

20 Again, not unanimous, but done with openness, a
21 little hiccup, but transparency and hopefully in the vein
22 of Micah 68, with justice, with mercy, and most humbly.

23 And so folks, thank you all, on behalf of myself
24 and all of our staff, and God bless you. I'm done.

25 PRESIDENT ALEXANDER: Senator from Williamsburg.

1 SENATOR SABB: Mr. President, I just wanted to
2 follow up on the chairman's comments and express my
3 appreciation for the staff. I thought they were
4 incredible. I think the Senator from Horry is absolutely
5 correct when he says that there were hiccups here and
6 there, but we could not have asked for a more hard working
7 staff, nor one anymore responsive to our requests.

8 So thank you for that.

9 SENATOR: Round of applause.

10 PRESIDENT ALEXANDER: Senator from Richland --

11 SENATOR HARPOOTLIAN: I want to echo.

12 PRESIDENT ALEXANDER: -- what purpose do you
13 rise?

14 SENATOR HARPOOTLIAN: While this has been a
15 little bit contentious here today, the staff, Michelle,
16 Joey, and Mora, and of course all these folks that worked
17 hard, we had a number of subcommittee meetings, they've
18 been very helpful.

19 And while we may differ on the legal piece and
20 the policy piece, I want to thank everybody for their
21 attention and the work of the staff. Thank you.

22 PRESIDENT ALEXANDER: Thank you. So noted.

23 Senator from Edgefield, what purpose do you rise?

24 SENATOR MASSEY: Mr. President, there are no
25 other unanimous consent requests.

1 I move the Senate to now adjourn.

2 PRESIDENT ALEXANDER: All in favor, say aye.

3 SENATE MEMBERS: Aye.

4 PRESIDENT ALEXANDER: Opposed, no. The ayes have
5 it. We are adjourned until noon on Tuesday.

6 (End of recording.)

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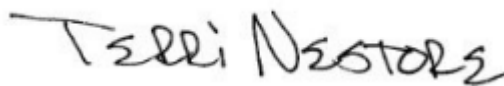
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C E R T I F I C A T E

I, TERRI NESTORE, Certified Shorthand Reporter/
Transcriptionist, do hereby certify that I was authorized
to transcribe the foregoing recorded proceeding, and that
the transcript is a true and accurate transcription of my
shorthand notes, to the best of my ability, taken while
listening to the provided recording.

I further certify that I am not of counsel or
attorney for either or any of the parties to said
proceedings, nor in any way interested in the events of
this cause, and that I am not related to any of the
parties thereto.

Dated this 24th day of January, 2022.



TERRI NESTORE, CSR 5614, RPR, CRR